

LAW ENFORCEMENT NEWS

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Recruit training's new look

The most recent class of rookies to graduate from the New York City Police Academy underwent a 26-week course of instruction course so vastly different from what came before as to be almost — but not quite — unrecognizable to the recruits who preceded them.

Training is just one of a series of changes that the NYPD has embarked on in the past year in an attempt to both boost the quantity and quality of its applicants. In September, Commissioner Raymond W. Kelly ordered that the reading-comprehension levels on its entrance exam be increased to reflect that of a high-school senior. Officials were apparently stunned to find that 5 percent of new officers were reading at just a seventh-grade level.

But before applicants can even take the entrance exam, they must now reserve a seat in advance. The new policy was implemented in December after record low attendance when the \$35 filing fee was waived. The no-fee exam resulted in turnouts of less than 30 percent.

The biggest changes by far, however, are within the academy. Based on the findings of a 1969 report by the federal agency that served as a precursor to the National Institute of Justice, the curriculum has long been taught as three separate components: police science, law and social science. While the expectation 35 years ago was that lawyers and college professors would be teaching these classes, that never came

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A dog-eat-dog world

Illegal dogfights linked to gangs, drugs

The law-enforcement community, which once believed that organized dog fighting belonged under the purview of animal control agencies, has been forced in recent years to take a far more expansive and proactive posture, as the activity and the crimes that accompany it have reached explosive proportions in virtually every area of the country.

Dog fighting is definitely on the rise, according to police and animal welfare investigators. The FBI keeps no statistics on the activity, but authorities estimate that at least 40,000 people are involved in the breeding, selling and fighting of dogs. More than 100 Web sites sell pit bull training gear, and about a dozen dog-fighting magazines are published regularly.

Investigators who arrested an Orange County, N.Y., man last year identified as the publisher of the Sporting Dog Journal seized a list of more than 5,000 subscribers. Police suspect many of being involved in dog-fighting activity.

It has been a particular headache for municipal law enforcement in cities where dog fighting is closely affiliated with gang activity, said Eric Sakach, the director of the Humane Society's National Illegal Dog Fighting Task Force, who has trained more than 8,000 officers in the U.S., Canada and Brazil in investigating animal fighting. So closely is it linked with gangs, he said, that dog fighting should be considered an "enhancement" as far as gang activity is concerned.

"At the street level, what we're seeing is just incredible," Sakach said in an interview with Law Enforcement News. "There is not a city or town I go to that we don't have reports from officers who are seeing evidence of this stuff going on."



In furious one-on-one combat that will likely end in serious injury or death, the fur flies as two participants square off in an illegal dogfight — an activity that is increasingly linked to gang activity and drug trafficking.

Dog fighting is often a nexus for illegal gambling, drug trafficking and other serious offenses, according to investigators. Typically, it is while conducting an operation targeting one of these other crimes that police find themselves in the midst of a dog-fighting probe.

"I kind of stumbled across it and it took on a life of its own," said Detective Dave

Hunt of the Franklin County, Ohio, Sheriff's Department. "It's largely an underground culture that I had no idea was even out there. It's very secretive, you have to know people who know people. But it is very, very prevalent."

Hunt, a veteran narcotics investigator, was part of a team that raided a dog-fighting

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Policy with punch:

Tacoma unveils new focus on DV by officers

The Tacoma Police Department is not the first in the nation to have a policy on officer-involved domestic violence, but it may well be the only agency to have one that outlines a procedure for when the abuser is the chief of police.

For a good reason.

The new guidelines, unveiled by police and city officials in February, come nearly one year after Chief David Brame shot his wife, Crystal, and then turned his weapon on himself in a murder-suicide on April 26, 2003. [See LEN, May 15/31, 2003; January 2004.]

"The bottom line is, our police chief committed murder," said interim Chief Don Ramsdell. "We need to try to rebuild the trust and confidence in the community."

Divided into five sections, the policy covers response to domestic violence calls that involve employees; prevention of abuse;



investigations; examination of applicants, and assisting victims.

"One of the strengths of this new policy is we're spending more time making sure the victim and his or her family is protected and put in touch with the proper authorities, other than police department," Capt. Tom Strickland, who helped develop the guide-

lines, said in an interview with Law Enforcement News. "Police departments are not really trained to work with domestic violence victims. We could, we just don't have the proper training. We also want to make sure we keep the victims as far away from the police department as possible. Like any career, whether you're a doctor, a lawyer, whatever, they've got contacts and we want to make sure the police department does not know where the victim is."

The complications, along with the differences between domestic violence within the community and cases in which the abuser or victim is a law-enforcement officer, are "profound," said Strickland.

Police know the legal system, they know lawyers and judges, the locations of advocates, and of safe houses, he said. For the victim, calling 911 could lead to contact with an officer who knows the victim's abuser. So

the department worked closely with the community, as well as experts from around the country, and other law-enforcement agencies, to eliminate or minimize potential problems from the policy.

"That was the big secret," said Strickland. "We had a terrible tragedy here and the community came together."

The policy calls for immediate notification of supervisors when a domestic violence call or incident involving a Tacoma officer is reported. In the event that the alleged abuser is an assistant chief, then the chief is notified. If the information is about the chief, the policy calls for the command duty officer or shift lieutenant to immediately notify the city manager, the mayor and the Pierce County prosecutor.

At a minimum, two officers and a supervisor whose rank exceeds that of the

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AROUND THE NATION

NORTHEAST



CONNECTICUT — On March 14, Norwalk Police Officer Paul Stevens shot himself to death in the parking lot of a Home Depot. The incident came just weeks after the Jan. 19 suicide of Bridgeport police Sgt. Michael Dominguez, who barricaded himself in his home for 17 hours and then shot himself after a dispute with his girlfriend. Following that incident, Bridgeport Police Chief Wilbur L. Chapman proposed the creation of an officer-to-officer counseling system to help prevent similar tragedies in the future.

A Stamford high school student was charged with trying to sell drugs to two police officers. Police reported that the teen jumped into the back of an unmarked police car and tried to sell two officers crack cocaine. At the time, both officers were wearing jackets with the word "police" on the back.

MARYLAND — Edward Norris, the former Baltimore police commissioner, pleaded guilty in March to using as much as \$30,000 in police money to finance extramarital affairs that he had with as many as six different women. The money came from accounts set up during the Depression to benefit officers. At the time of his indictment Norris was head of the Maryland State Police. He has since resigned that position.

An irate crowd of about 150 people gathered around Annapolis police and firefighters who were responding to a shooting scene at a public housing projects March 6. Community leaders say that underlying the incident was the mistrust that public housing residents feel toward the police. A revamped public housing security force that has been taking shape over the past few months will be expanded, with more emphasis placed on community policing.

MASSACHUSETTS — Since the Framingham Police Department started its Jail Diversion Program last April, the program's two staff members have administered 430 interventions, spanning scores of mentally ill residents from jail. The program diverts about 80 percent of its mentally ill offenders into detox and psychiatric care. Deputy Police Chief Craig Davis said that with a typical arrest costing about \$1,000 in food, transportation and processing, the program has saved at least \$180,000.

After a report by The Lowell Sun last month stated that nine of the city's top ten wage earners in 2003 were police officers, the City Council approved a series of measures to reduce large amounts of extra-duty pay. Last year, one officer reportedly doubled his \$68,089 salary and another made \$53,000 over his \$95,000 base salary. The new policies will call for more frequent reviews of eligible compensatory time.

NEW HAMPSHIRE — Greenville residents voted March 13 to eliminate the town's police department, after complaining that they weren't getting their money's worth from the chief and two part-time officers.

NEW YORK — New York City Police

Officer Fernando Rodriguez died March 1 from injuries he sustained in September 2003 when he shot himself in the head during an argument with his girlfriend, who was also an officer.

New York City Police Commissioner Raymond Kelly said that the anti-terrorism detectives sent to Spain after the recent train bombings in Madrid will stay there as long as necessary. Since those attacks, New York has increased the number of officers in the transit system and has been conducting more subway security sweeps.

After a nonjury trial, Brooklyn Supreme Court Justice Albert Tomei found Police Officer Charles Dorcent guilty of assaulting a handcuffed suspect with a police radio and of criminal possession of a weapon. Dorcent was seen on a homemade videotape struggling with the suspect, Anthony Carty, who apparently spat on him.

After a federal judge ordered the NYPD to schedule prompt hearings in vehicle forfeiture cases, city officials decided that they can only clear the backlog in the most serious cases and are now trying to give back about 6,000 confiscated cars. The vehicles had been seized from suspects in a range of offenses, including those involving guns or drugs, drunken driving or patronizing prostitutes.

SOUTHEAST



ALABAMA — Bessemer Officer Randy Lee and Sgt. Ronald Murray, and Birmingham officer Cecil Ingram, were indicted March 5 on charges of rape and sodomy. A woman claimed that she was having consensual sex with one of the men when the other two joined in without her consent. The men then allegedly took turns holding her down while raping her.

ARKANSAS — Five uniformed officers and five support staff from the Rogers Police Department recently began a 10-week sign-language course. The move came a little over a year after the department met with a group of hearing-impaired citizens in order to explore better ways to serve that segment of the community.

FLORIDA — The Volusia County Sheriff's Office will be audited by a team from the Florida Department of Law Enforcement after more drugs than previously thought were found missing. In February, Timothy W. Wallace, the former evidence manager, was charged with conspiracy to traffic in cocaine and marijuana, and Sheriff Ben Johnson acknowledged that nearly 900 grams of cocaine and 370 pounds of marijuana were stolen. The director of professional standards for the sheriff's office, however, said that there is almost 600 more pounds of marijuana missing.

LOUISIANA — After more than 30 Alexandria police officers called in sick during a pay dispute in December, those that could not verify an illness were disciplined. Police Chief Daren Couteau said March 9 that several officers were transferred, given reprimands, or ordered to work the hours

without pay or forfeit some overtime.

St. Bernard Sheriff Jack Stephens said that he may meet with officials of the ACLU of Louisiana regarding their objections to his plan to seek homeland security grants to put cameras in public areas. Stephens said his idea was to put the cameras primarily at the parish borderline to photograph motorists' faces and vehicle license plates.

A woman who arranged her husband's jailbreak pleaded to lesser charges after evidence in the case disappeared from the New Orleans Police Department property and evidence room. There have been apparently at least three cases in which evidence has been destroyed in order to make room for other evidence. The clerk of court, Kimberly Williamson Butler, has since fired the evidence room's manager. Butler said that she needs at least \$2 million to correct problems with the evidence room.

TENNESSEE — Michael Harvey, 16, shot and killed himself after an overnight standoff with sheriff's deputies in which one officer was killed and four others were injured. Officers were responding to a domestic violence call after the boy reportedly attacked his mother. Harvey started firing on them, killing Loudon County Deputy Jason Scott, a three-year veteran.

MIDWEST



ILLINOIS — Riverdale police detective William Rolniak was killed Feb. 4 while transferring a suspect from an interview room to the lockup. Adrian Humes, who had been arrested on murder and kidnapping charges, grabbed Rolniak's service weapon and took him hostage, forcing him behind a building where he shot and killed him. Humes was pursued by other officers, who shot and killed him when he turned the gun on them. Rolniak was a 14-year veteran.

The Lombard Police Department plans to partner an officer with a trained dog, nearly 12 years after its canine program disbanded amid mismanagement and misconduct allegations. The proposed program, expected to cost \$17,000 the first year, will be financed with money seized in drug arrests.

The Wheeling Police Department has opened up a new neighborhood resource center, which will serve as the permanent home of the crime prevention unit. Officials hope that a less-forbidding environment will encourage residents to make more contact with the department.

INDIANA — Fort Wayne Mayor Graham Richard has directed the police department to expand its search for minority applicants, in response to a drop in the proportion of black and Hispanic officers. In 1990, the department had 307 officers, 17.6 percent of whom were black and 3.25 percent of whom were Hispanic. Since then, with a gain of 108 officers, the percentages have dropped to 13 and less than 3, respectively. Richard wants the department's minority ranks to reflect the city's population, which is 17.4 percent black and 5.8 percent Hispanic.

OHIO — Although she will receive a

written reprimand, Columbus police Detective Mary Harrison will be able to keep her job and her marriage, after supervisors decided that she did not break police division rules by marrying a felon. Harrison married Ken Stout in 2003, two years after his release from prison for killing a drug dealer in 1991. Deputy Chief Antone Lanata ruled that Stout had paid for his crime and has been clean since, so Harrison shouldn't be blamed.

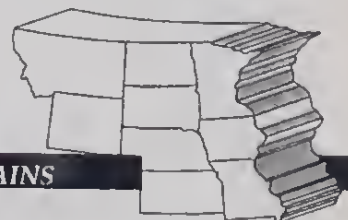
Investigators from the attorney general's office have collected an assortment of narcotics and dozens of firearms that were apparently confiscated by the New Rome Police Department, which was closed down last summer. The attorney general's office said that the items were not labeled in any way to determine what cases they were connected with. New Rome, a village of 60 people, had a national reputation as a speed trap, with more than 90 percent of its budget coming from traffic fines.

A judge has ordered the city of Cincinnati to pay an additional \$550,000 in attorney fees to Police Officer Phulecia Barnes, who said the city discriminated against her because of her transsexuality. Barnes, former Phil Barnes, said that the only reason she was demoted to patrol officer from sergeant was her change in gender. City lawyers countered that Barnes's grammar, paperwork and time management were inadequate.

WEST VIRGINIA — A "toss up" system went into effect in February at Kanawha County's 911 center, resulting in a large number of residents' emergency calls being answered by state police rather than the sheriff's department. Under the new system, dispatchers will ask for the closest officer to respond after identifying the problem. Metro 911 executive director Carolyn Karr Charnock said that the system has resulted in fewer callers being placed on hold and helped decrease incident response time.

WISCONSIN — The Madison Police Department's parking enforcement officers may soon be using Segway scooters as their vehicle of choice. Sgt. Mark Brown said that budget problems prompted the idea.

PLAINS



IOWA — Dixon, population 276, has worked out an agreement with the Scott County Sheriff's Department, under which the county agency will provide four hours of patrol surveillance, upon request, for a fee of \$150. In exchange, Dixon will provide a satellite office with a computer where officers can do paperwork. The agreement was prompted by an incident in October, in which a 17-year-old Davenport teen allegedly tried to abduct two 7-year-olds.

Laurens Police Chief Rodney Watkins was placed on administrative leave following his Feb. 22 arrest for domestic abuse. Phil Queen was named acting police chief.

The Nevada City Council fired Police Chief Mark See after a closed meeting on March 1. See is facing criminal charges of witness tampering for allegedly trying to influence

officers' statements regarding an incident in which he pointed a loaded gun at officers. See had been chief since 1993.

KANSAS — The State Senate has approved a bill that would bar convicted felons from working as bounty hunters or bail bondsmen. In addition, the measure would require bounty hunters to notify local law enforcement before they tried to apprehend a fugitive, although they could enter homes without knocking.

MINNESOTA — In the first seven months after the state made it easier to carry a concealed handgun, over 15,000 people applied for permits. Only 139 applicants were rejected — 84 of those because applicants were considered a threat to themselves or others. Before the new law took effect last May, police chiefs and sheriffs had broad discretion to deny applications. Former Republican Gov. Arne Carlson and former Democratic Vice President Walter Mondale are working jointly to get the law repealed.

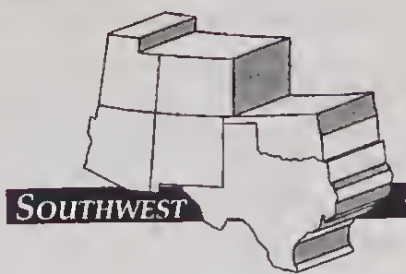
MISSOURI — The state Supreme Court in late February issued a mixed decision on concealed weapons legislation, upholding the Legislature's right to allow the weapons, but also ruling that four counties — Jackson, Cape Girardeau, Camden and Greene — do not have to issue the permits as it would impose an unconstitutional state spending requirement.

With the help of a \$500,000 federal grant, the crime lab at Missouri Southern State University hopes to reduce an 800-case backlog. The lab analyzes about 2,500 cases a year for 50 law enforcement agencies.

NEBRASKA — Omaha Police Officer Tariq Al-Amin has been reinstated by the city's Personnel Board after apologizing for comments he had made on television about Bishop William Barlowe, who had donated money to the children of a slain police sergeant, in the name of the children of the man who shot him. Albert Rucker shot and killed Sgt. Jason Pratt Sept. 11 and was subsequently killed by another officer. Al-Amin had been fired after suggesting to the Rucker children that they should cut Barlowe's throat for doing such a thing in their name. Al-Amin said that at the time he did not know he was breaking department rules. The Omaha Personnel Board said that Al-Amin's punishment was too harsh.

NORTH DAKOTA — The Rolla City Council fired Officer Wayne Slater Feb. 27 for misconduct that included inaccurate report writing and falsifying time cards. Another officer, Chris Wright, resigned because he believed he was next. Problems with the police department were noted last spring when Rolette County state's attorney Mary O'Donnell said she would not take any cases directly from the department and insisted that Rolla police cases be investigated by the sheriff. Subsequently, both Police Chief Bernie Gutz and the town's mayor resigned.

WYOMING — The State Senate killed a bill that would have expanded the state's indecent exposure law to include exposure in a private place with the intent of being seen by someone in a public space. Currently, the law only allows for conviction if someone exposes themselves in a public space.



ARIZONA — A federal crackdown on immigrant smuggling, Operation ICE Storm, has resulted in the round up of nearly 750 undocumented aliens in Phoenix over a three-week period in late February and early March. In addition, 20 suspected smugglers were arrested. Thomas Rouchey, the special agent in charge of the Phoenix office of the Bureau of Immigration and Customs Enforcement, said the operation will continue at least through September.

Three workers at a Scottsdale city building were injured when a bomb concealed in a small package exploded on Feb. 26. Police began phasing out some of the extra security put in place immediately following the incident, after it was determined that the explosion was an isolated incident. The city plans to install explosives detection systems in its mail rooms and receiving areas.

COLORADO — Former Jefferson County sheriff's Detective John Hicks told investigators recently that Joel R. Hunter, a cadet who died of a heart attack during police academy training in 1999, was grossly overweight. Hicks said that he refused to clear the 35-year-old Hunter for hiring but he was overruled by a friend of Hunter's, then-undersheriff John Dunaway. Hunter was more than 6 feet tall and tipped the scales at over 300 pounds.

Denver auditor Dennis Gallagher has found that the city's photo-radar program is so mismanaged that the city does not know how much the program costs or how many drivers have been overcharged. The most common problem, according to the audit, was with speeders who paid their fine twice. The police department and the company that runs the program, ACS State and Local Solutions, are trying to figure out how many people deserve a refund.

NEW MEXICO — The Las Cruces City Council has adopted an ordinance that will authorize police to crack down on rowdy or unruly parties. Violators of the law could face up to 90 days in jail and fines up to \$500. Bar owners or landlords could be cited for failing to prevent raucous gatherings.

Albuquerque police officials have asked the state Attorney General's Office to help investigate the possible theft of property and cash being held as evidence. The request was made after the Albuquerque Police Department received a letter accusing police employees of stealing from the evidence room and questioning the way the department was handling the investigation. In addition to the Attorney General's probe, Police Chief Gilbert Gallegos said that a team of forensic auditors will try to determine if there were any procedural improprieties. While Gallegos said that investigators did not know how much money was involved, Bernalillo County Sheriff Darren White said that the amount is significant.

The state Environmental Improvement

Board has approved new rules, due to take effect on June 1, which are aimed at protecting convenience store employees. Store owners will have 90 days to comply with the rules, which will require them to have two employees working between the hours of 5 p.m. and 5 a.m.; increase lighting and install video cameras both outside and inside stores; train employees on security and safety; install time-lock safes, and clear store windows of items that block the view of store interiors.

OKLAHOMA — A judge for the U.S. District Court for Eastern Oklahoma ruled against former McAlester police officer Randy Davenport and his wife, who were suing the federal government because federal agents were in charge of the 1999 training session at which Davenport was shot by a fellow officer. Davenport, who has been paralyzed from the waist down since the accidental shooting, was medically retired from the force, and now gets workers' compensation.

UTAH — For the fourth time since 1992, the Legislature has rejected proposed hate-crimes legislation, despite support from police and prosecutors as well as religious, minority and community groups. State lawmakers, however, criticize the legislation because they believe it singles out special groups for protection. Some lawmakers have said that they would pass the bill if "sexual orientation" were removed — a compromise that the bill's sponsor, Representative David Litvack, said he was unwilling to make.



CALIFORNIA — The Los Angeles Police Protective League and the city's police department have agreed to a compromise over the issue of what disciplinary material should be kept in personnel files. The union dropped a lawsuit it filed in 2000, accusing then-Chief Bernard C. Parks of violating officers' constitutional rights when he placed in their files letters that said some officers were removed from field duties because they were no longer felt to be credible witnesses. Under the compromise, letters stating that duty was restricted can go into the files, but no further explanations should be given.

Oakland Police Officer Thomas Soto was saved from more serious injuries when equipment on his belt deflected two bullets that a suspect fired at him during an attempted traffic stop. Soto had tried to pull over a vehicle with invalid license plates but the driver feigned stopping and then sped forward for a few blocks before spinning out of control. When the driver got out of the car, he lunged at Soto and wrestled him to the ground, eventually grabbing his gun and firing. The suspect escaped.

Los Angeles Police Chief William Bratton has ordered a tighter pursuit policy, but said that the move was not related to an incident in which a robbery suspect was fatally shot by officers as he backed his car toward them. The aim, he said, is to reduce the number of police pursuits, thereby limiting the possibil-

ity of casualties. Officers will not be allowed to shoot at drivers when the only threat is from the vehicle and not another weapon, and they will also be instructed not to fire from moving cars. The chief plans to ask the city's police commission to permit the use of a technique in which squad cars bump a suspect's vehicle to cause it to spin out, as well as the use of spike strips.

NEVADA — Federal investigators are conducting an inquiry into allegations of excessive force by Las Vegas Metro police, according to three sources cited by The Las Vegas Review-Journal. One source said that over a dozen cases were being investigated. Although it could not be confirmed, one of the sources also said that the inquiry was looking into allegations of racial profiling.

A federal appeals court has ruled in favor of former Carson City sheriff's deputy Paula Leever, who claimed that she was not paid adequately for time she spent off-duty training "Scout", her police dog. Leever said that on average the "canine duty" took 28 hours a week and included grooming, feeding, bathing and exercising the dog. Under a 1995 agreement between the sheriff's department and the Carson City Sheriff's Protective Association, deputies were paid a flat \$60 for two weeks of such care. The court ruled, however, that the city should have made a "reasonable investigation of the number of off-duty hours" worked by deputies and taken that number into account when reaching the agreement.

OREGON — The Vancouver Police Department is continuing an investigation into the theft of some Clark County sheriff's deputy uniforms. The uniforms were in a dry-cleaning van that was stolen. Several of the uniforms were recovered when they were dumped in a resident's yard.

Michael Scarpitti, a fugitive radical environmentalist linked to the Earth Liberation Front (ELF), has been arrested by federal agents on charges of setting fire to trucks in two separate 2001 incidents. ELF is the FBI's No. 1 domestic terrorism priority.

WASHINGTON — Nearly a year after an internal audit found flaws in 30 of 100 drug-analysis cases assigned to Arnold Melnikoff, State Patrol officials have decided to notify prosecutors in seven counties in Eastern Washington about the findings. The investigation was launched after a lawyer with the New York-based Innocence Project complained about Melnikoff's work, stating that flawed hair-analysis testimony led to the conviction of Jimmy Ray Bromgard for rape. Bromgard was later cleared through DNA testing. Officials did not decide to notify prosecutors until The Seattle Post-Intelligencer reported that the results of the investigation had not been disclosed.

King County Superior Court Judge Jim Doerty has ordered the county to pay all legal costs of sheriff's deputies James Keller and George Alvarez and Des Moines Police Officer Barron Todd Baldwin, who are accused of beating an uncooperative informant. County civil prosecutors had argued that the county is only required to pay the officers' legal fees if they were acting lawfully and in good faith. The officers' attorneys argued that not paying the fees was tantamount to finding them guilty before their trial.

SHORT TAKES

Getting the scoop

After tracking a suspect in a double homicide for weeks, hoping for a DNA sample, a St. Petersburg, Fla., detective was able to retrieve an ice cream spoon used by his quarry.

The sample extracted from the saliva left on the utensil led to charges against William Deparvine, 51, in the murders of Richard and Karla Van Dusen of Tierra Verde. Deparvine is also suspected in six other homicides in Florida and Texas.

A Hillsborough County judge ordered Deparvine to provide another sample after the DNA obtained from the spoon matched a blood smear found on the steering wheel of the Van Dusens' Jeep Grand Cherokee. The couple was killed on Nov. 25, detectives say, one day after selling the defendant a 1971 pickup truck.

Deparvine has a long criminal history that includes weapons possession, arson, grand theft and forgery. With his arrest on Jan. 13, investigations into six unsolved killings in the 1980s have been reopened. While Deparvine had been a suspect in 1992 in several of the cases, investigators say they lacked the witnesses or physical evidence to charge him.

It was St. Petersburg police Detective Mike Britton who tracked Deparvine through the Tyrone Square Mall, where the suspect stopped at a Dairy Queen. Britton watched as Deparvine ate his ice cream, then threw away the spoon. Britton dug into the trash and retrieved the spoon.

Formula for crime

After an investigation that lasted nearly four years, the last defendant in a case involving an international drug-smuggling ring that used infants as decoys has been sentenced in Chicago.

For about \$200 to \$400 apiece, the ring would rent babies from addicts, and couriers would bring in hundreds of kilos of cocaine and heroin hidden in infant-formula cans to Panama, Jamaica, Chicago, New York and England. The couriers were paid \$4,000; some also received drugs, according to The Associated Press.

"Can you imagine a drug addict from Chicago traveling in a foreign country where she does not even speak the language, taking care of a baby she has never seen, attempting to score some heroin while she waits for cocaine-filled baby formula cans to arrive?" observed one federal prosecutor.

In all, 22 babies were used; none were injured. Forty-eight defendants pleaded guilty. Couriers received five to 10 years in prison, while the parents who let their children be used as decoys were sentenced to between 10 months and eight years.

Risky business

New York City health officials are concerned that growing use of crystal methamphetamine by gay men could cause an upsurge in H.I.V. infections.

According to a survey by the city's Health Department, men who were H.I.V. positive were twice as likely as uninfected men to use the drug. Those who used it were also less likely to use condoms during anal intercourse, the survey said. Two-thirds of those who tested positive for H.I.V. since June at the Callen-Lorde Clinic, New York's largest private clinic for gays and lesbians, acknowledged meth as a

factor in their infection.

As an example of how rapidly addiction to the drug has grown, The New York Times reported that in 2002, there were four weekly meetings of the Meth Anonymous 12-step program in the city; last year there were nearly two dozen.

"When it comes to crystal, there is no moderation," said Dawn Harbatkin, medical director at Callen-Lorde, which is conducting a pilot study on treating meth addiction. "This drug really terrifies me, and I think what we're seeing is the tip of the iceberg."

Peter Staley, a recovering addict who is also H.I.V. positive, has taken matters into his own hands, spending \$6,000 to put up ads in Chelsea and other neighborhoods which say, "Huge Sale, Buy Crystal, Get HIV Free!"

Vested interest

The Ohio State Troopers Association has asked Ohio Attorney General Jim Petro to investigate a body-armor manufacturer and the material it uses to create the bulletproof vests.

Some 200 of the union's 1,400 members use vests by Second Chance Body Armor that contain Zylon, a material which its manufacturer, the Toyobo company of Japan, has acknowledged will lose 10 to 20 percent of its durability within two years.

In light of at least six lawsuits and federal and state investigations concerning the vests' effectiveness, Second Chance supplied extra armor inserts for the vests, but union officials say that that is just not going to do the trick.

"These inserts are just not going to get it," said Jim Roberts, executive director of the troopers' association. The inserts make the vests bulky and uncomfortable, he noted. One of the reasons why Second Chance's product was so popular was that it was lightweight and thin.

Petro advised that those using the vests be cautious until there is "further, more definitive information available."

The fur is flying

Washington state lawmakers are considering legislation that would impose harsher penalties on those convicted of ecoterrorism, in response to the release of roughly 10,000 minks from a Sultan fur farm last summer.

Under the measure, property damage of \$500 or less would be a misdemeanor punishable by up to one year in jail, or a \$5,000 fine; if damage exceeded \$500 or bodily harm were caused, the offense would escalate to a felony. Ecoterrorists could also face civil lawsuits and be liable for triple damages and up to \$250,000 in civil penalties.

Constitutional rights advocates are concerned by the bill's definition of an ecoterrorist organization as any group that supports politically motivated acts intended to "obstruct, impeded, or deter" animal farming, research or other natural-resource use, which they say is too broad.

But, argued state Senator Val Stevens, a Republican from Arlington who sponsored the bill: "I wish we didn't have to worry about these things... but that's where we are. There are folks who would use acts of ecoterrorism as a training camp for other crimes."

"British FBI" unveiled as part of new plan to tackle organized crime

In what is being hailed as the biggest shakeup in British law enforcement in the past 40 years, government officials there have unveiled a new agency modeled on the FBI that will tackle organized-crime gangs who control cocaine and heroin markets worth an estimated \$5 billion a year.

The Serious Organized Crime Agency, or SOCA, will merge Britain's National Crime Squad and National Criminal Intelligence Service and replace the investigative arms of the country's Customs and Excise, and Immigration Service. In all, some 5,500 officers will be assigned to the elite agency, which will be backed by a team of special prosecutors. SOCA's director will report directly to the Home Secretary.

"These big organized crime trees can't be dealt with in the same way as volume crime like burglary or anti-social behavior," said Prime Minister Tony Blair.

"We've got to be hard, efficient and, if necessary, ruthless as they are trying to do to us. We need to have one focal point instead of different agencies that will come together for certain operations but aren't working in the coordinated way that we want."

SOCA, which is expected to begin operations in 2006, will target drug traffickers, human smugglers, and money laundering. Terrorism and terrorist threats will still be handled by Britain's security services, the antiterrorist unit of the Metropolitan Police and special branch officers from regional forces. The agency is expected, however, to improve ties with foreign police forces, as well as the MI5 and MI6 intelligence agencies.

Legislation will be required to create SOCA.

The international criminal empires whose activities will be the principal focus of SOCA cost the British economy an estimated \$70 billion a year. In addition to an estimated \$5 billion market in cocaine, crack and heroin, statistics cited by The Christian Science Monitor also show that half of all crime is perpetrated by drug users.

An estimated 500,000 illegal immigrants enter the European Union each year, most of them through people-trafficking rings. The global profit in smuggling humans is estimated at \$10 billion annually.

These traffickers believe themselves to be "untouchable," said Home Secretary David Blunkett. "They believe they are beyond the reach of justice and out of our sights. That is not the case — no one should be untraceable and no one should be untouchable."

Blair has indicated that the burden of

proof would be lowered in certain cases in order to bring criminal kingpins to trial. He also appeared to suggest that criminals may be required to explain how they generated their wealth.

"My impression sometimes is that the system is struggling against a presumption that you treat these crimes like every other type of crime and that you build up cases beyond reasonable doubt," said Blair. "I think we have got to look at this. To require everything beyond reasonable doubt in these cases is very difficult. I think people would accept that within certain categories of case, provided it's big enough, you don't take the normal burden."

Blair has suggested that prosecutors be allowed to use material taken from telephone



British Home Secretary David Blunkett

taps — something usually banned from British courts. The idea has some law enforcement officials, particularly those in the security services, fearful that use of such evidence could expose their techniques.

While the merger is supported by Britain's police chiefs, experts say that turf wars and other inter-agency battles are not likely to be resolved by the creation of SOCA.

"The war against organized crime is not going to be won; no one has won it," said criminologist Dick Hobbs, a professor at the University of Durham in England. "I hope this will have an impact, but there will still be turf wars as to who deals with what specific problems."

There will probably continue to be conflicts over credit for successes and blame for failures, he told The Monitor, as well as for how budgets are apportioned.

Jan Berry, chairwoman of the country's Police Federation, is uneasy about how the elite agency will fit into the nation's police structure. There is concern, she said, that the best officers from the country's 43 local police forces will be recruited for SOCA.

"We must not get carried away with the glamorized movie image of an FBI offering a total solution to crime," Berry told The Birmingham Post. "The reality is often quite different."

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Dial M for mayor (and murder)

San Francisco mayor makes his presence felt at homicide scenes

While it might sound like a television show — the mayor of a major metropolis gets involved in police homicide investigations — it is exactly what is happening in San Francisco.

Dismayed by a surge in homicides and the police department's low clearance rate, Mayor Gavin Newsom has been visiting crime scenes.

"As the mayor of San Francisco, I'm responsible for what's going on out there," he told *The San Francisco Chronicle*. "I'm accountable. I'm not going to butt out of investigations."

Police officials conceded that 2004 has been a bad year so far. As of mid-February, there had been 10 murders, compared to two at the same point in 2003. Seven have been in the largely minority neighborhoods of Bayview-Hunters Point and Sunnydale. While police have identified suspects, no arrests had yet been made.

"I want to give as much time to the murders and what we can do about them as we do to an antenna on a house or to a bathroom or to a view," said Supervisor Sophie Maxwell, who represents Bayview-Hunters Point, referring to the protracted land-use issues that sometimes dominate



Gavin Newsom

meetings of the Board of Supervisors. "These are people, and we need to do something about it," she said. "I want to hear from the police, from the district attorney... I want a long meeting on this."

Said Deputy Chief Rick Bruce, who oversees the investigations bureau, "Sometimes things don't go your way, and you just don't solve them."

In addition to a backlog of 74 unsolved murder cases, there are also more than 100 unsolved recent killings. An analysis by *The Chronicle*, published in a series of reports in 2002, found that the department ranked near the bottom of the nation's 20 largest police agencies in terms of its homicide clearance rate,

with a rate of just over 50 percent for the five years ending in 2001. In 2003, just 40 percent of homicide cases were cleared.

Newsom said he hopes that the attention the cases are getting because of his presence at crime scenes will help boost residents' confidence and encourage witnesses to come forward.

In February, the department added two more investigators to its homicide unit, bringing the number up to 18. It is also

looking for way to shift overtime money to homicide investigations. And under a system launched this year, half of investigators will take on new murders for one month, with the other half handling fresh cases the next month. The idea is to distribute homicides evenly among all teams of detectives.

While police did not respond directly to the complaints made by Newsom about the agency's clearance rates, Capt. Paul Chignell said that the mayor was doing the city a service by shining a spotlight on violence in the black community.

"He has said he will provide the resources we need," said Chignell. "The important thing is that he is working with not only us but the district attorney and the judiciary to move these cases forward."

The effect of Newsom's presence on homicide investigations has been questioned by some defense attorneys, however. If he touched something at the scene or interviewed a witness, it could become a problem, said former prosecutor Bill Fazio.

"He could serve his purpose... by respecting the police officers at the scene and the prosecutors who have to put the case together," he told *The Chronicle*.

While gratified that Newsom is showing an interest in black-on-black crime, defense attorney Randy Knox, another former prosecutor, said, "It could end up not helping the situation."

Technology in motion:

Some cars add visibility, some go for stealth

When it comes to innovations in police vehicles, it's all about improving the "mouse-trap," as one New Jersey police official put it.

State Police there have begun rolling out the newest improvement to their four-wheeled "mousetraps," a light bar that features red and blue light bursts. Industry tests indicate that blue is more visible in various weather conditions — particularly snow — than the all-red, rotating lights now on troopers' cars.

"They are a major difference," Sgt. 1st Class Kevin Rehmann told *The Bergen Record*. "The way these things light up is amazing, and blue is new for us."

The light bar, officially called a Linear-LED light bar, was developed by state police civilian technicians in a garage at agency headquarters in Trenton. It operates from a hands-free console and a sliding switch so that troopers do not have to look down when engaged in a pursuit. The lights come from 50 tiny LEDs, or light-emitting diodes. Until the lights are turned on, producing split-second bursts of red and blue, the eight panels they are packed into remain clear.

Another feature is the bar's "side to side" visibility. When troopers pull up at an angle behind stopped cars, the light bar is just as bright as when it is parked on the highway.

The LED-based light bar also has the advantage of drawing very little electricity from the car's 12-volt battery, noted Robert Squicciarini, a regional sales manager for Whelen Engineering of Chester, Conn., the firm that manufactures the devices.

"The biggest problem [with traditional rotating lights] is the high amperage draw," he told *The Record*. "They're hard on batteries. The lights they were using were in the 50-ampere range. Now, we are dropping down to less than five amps. That's an important issue now, with computers and cameras. All that takes up more electricity."

As the agency begins replacing cars in its 900-vehicle fleet, new additions will have the

bar. Already, 115 new Ford Crown Victorias were equipped with them at a cost of \$1,800 each.

"The first time I saw them [the light bar], I was really impressed," said Scott Grilli, one of the technicians who developed the device. "They were so bright it was almost blinding. To be honest with you, I was worried they were too bright. That's why we even have a certain switch to knock down the front lights."

Police vehicles in other parts of the country are undergoing changes, as well. In Montana, state troopers have gone in the

stealth cars will be used almost exclusively on the two-lane highways where many of the violations occur, Driscoll told *The Associated Press*. And because some motorists might be fearful of pulling over for an unmarked car, the vehicles will be driven only during daylight hours by troopers in full uniform.

The cars have the approval of two of the state's motorists' associations.

"Their intentions seem perfectly honest and legitimate," said Chanty Watt, a spokeswoman for the AAA Montana. "They're not setting out to trap motorists for doing bad

"It's not our intent to write more tickets. It's to make motorists think twice."

— Col. Shawn Driscoll, Montana Highway Patrol

opposite direction from their New Jersey counterparts. Instead of making their vehicles more visible, they have worked to make them less so.

For the first time in some 30 years, the Montana Highway Patrol is using stealth vehicles as a law-enforcement tool. The cars are the same Ford police interceptors that make up the agency's 225-vehicle fleet, but they do not have light bars, the blue stripe or the Highway Patrol shield on either side.

"Our intention is not to be deceptive," said Col. Shawn Driscoll, who stepped down in late January as chief of the Highway Patrol. "It's not our intent to write more tickets. It's to make motorists think twice."

According to Driscoll, violations for passing school buses illegally, speeding through school zones, following too closely and ignoring stop signs have led to some 83,500 crashes, 924 deaths and 35,100 injuries during a five-year period beginning in 1998.

To target some of these offenses, the new

things. They're just trying to promote traffic safety."

Said Barry "Spook" Stang, executive vice president of the Montana Motor Carriers Association: "It will probably help with traffic safety, unless they're picking on one segment or another. If they run it fair and evenhanded, which I think they will, I think it's a good safety tool."

A Columbus, Ohio, police initiative is less concerned with motorist safety than with the security of their vehicles.

The initiative works like so: Police watch on video as a thief slides behind the wheel of a car that has been left running and unlocked. After it is driven a short distance, the vehicle's engine stalls, its doors lock automatically and a familiar tune begins to blare from the car — the "Bad Boys" theme music from the television show "Cops."

Police began rigging the decoy vehicle last July; cold weather leads to a spike in car thefts as people go back in their homes while their vehicles warm up

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Getting warmer

Washington State Patrol Superintendent **Ronal Serpas** returned to a warm Southern climate in January when he accepted the post of chief of the Nashville Police Department.

The 43-year-old Serpas will be Nashville's first chief in three decades who did not rise through the ranks of the department. He was one of three finalists, along with Chattanooga, Tenn., Chief **Jimmie Dotson** and Waco, Texas, Chief **Alberto Melis**.

"While we are sorry to see Chief Serpas leave, I understand that this is a great opportunity for him to return to the South and direct a large city police force," said Washington Gov. **Gary Locke**. "The city of Nashville will greatly benefit from his skills."

Serpas had served as head of the state police since 2001. Prior to his appointment, he spent 20 years with the New Orleans Police Department, where he rose to chief of operations and assistant superintendent.

In Nashville, he will succeed **Emmett Turner**, who left last year to become the state's assistant commissioner of fire prevention. Serpas will be paid \$135,000 a year.

Three female candidates for the chief's job — all from the Nashville force — were rejected by a citizen's panel. Acting Chief **Deborah Faulkner**, who has resigned, assistant metro chief **Judy Bawcum**, and assistant metro chief **Valerie Meece**.

Serpas holds a doctorate in urban studies from the University of New Orleans. In Washington, he was credited with making the roads safer by targeting drunk and aggressive drivers. The number of traffic fatalities was dramatically reduced, said Locke.

Moreover, an independent analysis of more than 2 million traffic stops showed no evidence of racial profiling. The patrol was the first agency in the nation to earn such a report card, he noted.

Locke lauded Serpas as "one of the finest chiefs in the history of the Washington State Patrol."

As chief of the Tennessee's second-largest city, Serpas said he would work with all of its neighborhoods and communities "to ensure that our administration will have a hallmark of openness, accessibility and accountability."

Arresting looks

Since he's an undercover cop, the world will just have to take a judge's word for it that Fort Lauderdale, Fla., Officer **Mike Nahum** is so drop-dead gorgeous that the defendant in a drug case was powerless to resist him.

In January, Broward County Circuit Judge **Susan Lebow** dismissed trafficking charges against West Palm Beach hairdresser **Julio Blanco**, a self-described "lonely homosexual man" whom Nahum met in 2002 while working undercover in a gay bar.

As described by the defendant, Nahum is tall, dark, handsome and fit. Blanco testified that he was asked three times by Nahum to buy him some cocaine in the bar. Blanco said he had always refused, but hoping that the



In one of his last official acts as head of the Washington State Patrol, **Ronal Serpas** (at lectern) presides over a recent medal ceremony.

drugs might lead to a sexual encounter, he eventually took the \$60 Nahum gave him and bought some crystal methamphetamine.

Had he been convicted, Blanco could have faced 15 years in prison.

Lebow, who noted Nahum's exceptional looks, said the officer's entreaties constituted an entrapment for Blanco. The Fourth District Court of Appeal agreed with her decision.

The case is a textbook example of entrapment, said **Bruce Rogow**, a criminal law professor at Nova Southeastern University in Davie, who previously defended rapper **Luther Campbell** against obscenity charges.

"I'm sure it will spark a wonderful conversation among my students," he told *The Palm Beach Post*.

Rogow said it is quite likely Nahum was chosen by the department for the assignment because he is so attractive.

"If they sent someone ugly, the defendant might not have succumbed," he said. "You want the best player for your side, but legally you're moving in an area of outrageous police conduct. You're adding an element designed to allure."

The case is similar, said Rogow, to one in which law enforcement officials kept mailing ads for pornography to a farmer whose name was on an Internet mailing list for child pornography. Eventually, the farmer ordered some, and he was arrested.

In that case, the U.S. Supreme Court ruled that the defendant had been entrapped.

Crossing the river

Fairfax County, Va., Police Chief **Thomas Manger** has moved across the Potomac River to assume command of the Montgomery County, Md., Police Department.

"I can't think of any other job that I would have left Fairfax County for other than this one," said the 50-year-old Manger,

who succeeds **Charles Moose**.

A Montgomery County native, Manger worked with Moose and County Executive **Douglas Duncan** in the Beltway sniper probe after the murder of **Linda Franklin** in a Home Depot parking lot. The Fairfax County department helped prosecute **Lee Boyd Malvo**, who was convicted and sentenced to life in prison in December.

Said Duncan: "I wanted someone who is going to be a leader for our police force and a good fit for our community." Manger, he told *The Associated Press*, "is that person."

Manger began his law-enforcement career in Fairfax County in 1977 as a patrol officer in Reston, and later became commander of the McLean and West Springfield district stations. He was named chief in 1999.

Manger will be taking over a department which currently functions under an agreement with the Justice Department, forged after complaints about racial profiling. The agency is required to keep racial and ethnic data on traffic stops.

"That is something this chief is going to have to deal with," said **James Sobers**, head of the county's NAACP criminal justice committee and a member of the advisory panel that worked on the search for a new chief.

Montgomery County officials chose Manger from a pool of six finalists, including Acting Chief **William O'Toole**. O'Toole has led the force since last summer when Moose resigned in a dispute with the county's ethics board over the publication of a book he had written on the sniper case. Given the choice of either giving up the book or giving up his job, Moose chose to keep the book deal.

Two lawsuits filed by Moose against the county were settled in August.



Thomas Manger

Staying at home

After a five-month national search, San Jose officials have decided to go with a well-liked — though untested — insider for the chief's job.

Deputy Chief **Rob Davis** has been a cop for nearly 30 years, but has never led a department. Still, he was selected from a pool of candidates that included Phoenix Chief **Harold Hurtt**, former Minneapolis chief **Robert Olson**, and **William McManus**, who resigned as chief in Dayton, Ohio, to succeed Olson in Minneapolis.

"He's the best guy going," Sgt. **Ron Helder**, head of a unit that tracks registered sex offenders, told *The San Jose Mercury News*. "He's a cop's cop with an open-door



Rob Davis

A "cop's cop" with an open door

policy. I think it's an excellent choice that will be supported by everybody here."

Davis's selection still needs City Council approval, which appears to be all but a formality. He has been embraced not only by City Manager **Del Borgsdorf**, who chose him, but by Mayor **Ron Gonzalez** and a number of council members.

Davis replaces **William Lansdowne**, who is now San Diego's police chief. He inherits a department that was rocked last year by the shooting death of a young Vietnamese woman who charged at an officer with a vegetable peeler. Police had responded to a call about an unsupervised child, and a grand jury subsequently ruled the shooting justified.

Yet San Jose is also among the safest cities in the country, with a low murder rate and a model community-policing program. Davis said he will work to maintain service levels within the 1,400-member department in the face of looming budget cuts.

Davis has two college degrees, including one in English from San Jose State University. Those who served on an advisory panel that interviewed the finalists were impressed not only by his education, but by the leadership they said he exuded.

"It was just that passion," said **Victor M. Arranaga Jr.**, who represented the Hispanic group *La Raza Roundtable*. "He knew the community. He knew San Jose."

City Council member **Dave Cortese** agreed. During a conversation with Davis, he told *The Mercury News*, the new chief "knew as much about East San Jose as the one I grew up in."

Top cops with chops

Just because they are chiefs does not mean that North Miami, Fla.'s **Gwendolyn Boyd-Savage** and Chicago's **Phil Cline** have lost their crime-fighting chops. Both officials were recently involved in incidents that required the arrests of violent offenders.

Boyd-Savage returned to her office one January night to prepare for a city commission meeting, only to find a man holding her purse. After she asked him what he was doing, the perpetrator took off. Boyd-Savage



Gwendolyn Boyd-Savage
Up against the wall

chased him and it turned into a fight.

She was slugged over her eye, but managed to throw the suspect, 18-year-old **Timothy Johnson**, against the wall. He threw Boyd-Savage across a chair and went for her neck, she said.

"I'm thinking, 'I don't want to die,'" Boyd-Savage told Local10 News. "On the floor, I said, 'I'm a police officer and you're not going to get away with this,'" she recalled.

Boyd-Savage chased Johnson down a stairwell, where he was finally caught by a maintenance supervisor. Johnson had a previous arrest for battery on a police officer.

In Chicago, Cline and one of his commanders were sitting in a car outside a reputed gang house on New Year's Eve. Shortly after midnight, they heard a shot and



Phil Cline
Still kicking in doors

saw a muzzle flash. Cline knocked on the door, identified himself as the police, and when he got no response, kicked the door in.

On the second floor, Cline and **Sieve Caluris**, commander of the Deployment Operations Center, found **Sheldon Smith** in a back bedroom, a 9mm Browning was under the mattress. He was arrested and found to have been convicted once for robbery, and another time for being a felon in possession of a gun, said Cline.

While he has downplayed the incident, Cline said that it did show the force that he and other officials are "out there and leading from the front."

"When they see their bosses out there, they understand we mean business in dealing with gangs, guns and drugs," Cline told The Chicago Sun-Times. "We've all done it in the past, but it's important for our younger officers to see it, too."

Smashing pumpkins

While **Wendy Ann Martyak**, civilian supervisor of the Frederick, Md., Police Department's crime scene unit, was delighted by the pictures she took during a semester away at school last year, they might have caused at least some of her colleagues to skip their lunch that day.

That's because Martyak, a 14-year member of the force, attended the National Forensic Academy in Knoxville, Tenn., last year as one member of an exclusive class of 15 crime-scene specialists from around the country.

During the 10-week course, students honed their skills in evidence collection, blood-spatter analysis, fingerprinting and other technique, with a variety of practical exercises that included shooting liver in a box, blowing up cars, spreading streaks of blood and blasting a blood-filled pumpkin.

"I got to blow this guy up," said Martyak, showing a slide of a dummy that had been outfitted with explosives to simulate a suicide bomber.

According to Frederick Police Chief **Kim C. Dine**, Martyak is one of just 100 crime-



The other white meat

Vancouver, B.C., police Detective Constable **Shelia Sullivan** (l.) and Royal Canadian Mounted Police Cpl. **Catherine Galliford** address a news conference March 10 where they said that pork products processed and distributed from the Port Coquitlam pig farm of accused serial killer **Robert Pickton** may have contained human remains. (Reuters)

scene analysts to go through the program. Her class was the Knoxville academy's seventh since it opened in 2001, and tuition is not cheap. In Martyak's case, the \$6,500 fee was paid for by a **Patricia Cornwell** Scholarship.

One of the highlights of the class, she recounted in an interview with The Washington Post, was a visit to the Body Farm, or as it is more formally known, the University of Tennessee's Forensic Anthropology Center. The subject — and title — of a 1994 book by Cornwell, the Body Farm uses donated cadavers to study the effects of decomposition.

In the 30 years since the Body Farm was started by anthropologist **William M. Bass III**, the center's alumni have helped identify the remains of U.S. soldiers, collected evidence of war crimes in Kosovo, and pieced together David Koresh's skull for identification purposes after the burning of the Branch Davidian compound in Waco, Texas.

"It was just a lot of sniff packed into 10 weeks — but it was great," said Martyak.

Martyak, whose husband is a lieutenant on the Frederick force, was working in the bulk goods department of a local grocery store when she decided to apply for the crime scene unit. She can still remember seeing her first dead body. It was an old woman who had died on a couch.

"I sort of eased my way into the gory stuff," she said. "Now I've seen it all."

Although the Frederick department was the smallest represented in the class, it has its share of shootings, stabbings, and other forms of mayhem. One case Martyak recalled involved a 9-year-old boy who was sexually assaulted and killed at a neighborhood ballfield.

"I can't believe some of the things people do to each other," she said.

There are some lessons she learned at the academy that will not apply to her work in Frederick, where DNA analysis is done by outside laboratories, and arson is usually investigated by the fire marshal. But Martyak said the course will help when she has to evaluate a crime scene and collect evidence.

"I'd look at it much differently," she said.



Students at the National Forensic Academy in Knoxville, Tenn., pore over the grounds of the academy's "Body Farm," to polish their skills in crime scene investigation and analysis.

Pre-9/11 intelligence effort

The following report on "Law Enforcement, Counterterrorism and Intelligence Collection in the United States Prior to 9/11" was prepared by the staff of the National Commission on Terrorist Attacks upon the United States, informally known as the 9/11 Commission. It was released on April 13, prior to a public hearing at which the commission heard testimony from Attorney General John Ashcroft; his predecessor, Janet Reno; former FBI Director Louis Freeh, and former acting Director Thomas Pickard.

The Role of the FBI

The FBI played the lead role in the government's domestic counterterrorism strategy before September 11. In the 1990s, the FBI's counterterrorism efforts against international terrorist organizations included both intelligence and criminal investigations. Consistent with its traditional law enforcement approach, most of the FBI's energy during this period was devoted to after-the-fact investigations of major terrorist attacks in order to develop criminal cases.

Investigating these attacks always required an enormous amount of resources. As most of these attacks occurred overseas, many of the FBI's top terrorism investigators were deployed abroad for long periods of time. New York was the "Office of Origin" for the al Qaeda program and consequently where most of the FBI's institutional knowledge on al Qaeda resided. Working closely with the Office of the U.S. Attorney for the Southern District of New York, the Department of Justice, and the U.S. Intelligence Community, the FBI's New York field office was often successful in these investigations, and many of the perpetrators of these plots were identified, arrested, prosecuted, and convicted. We will summarize a few of the major episodes.

World Trade Center Bombing. On February 26, 1993, six people were killed and over a thousand injured when a truck bomb exploded in the basement of the World Trade Center. The FBI was able to identify the perpetrators of the attack as radical Islamists who were followers of the "Blind Sheikh," Omar Abdel Rahman. Through an international effort, the attack's mastermind, Abdul Basir Mahmoud Abdul Karim (better known by his alias, Ramzi Yousef), was brought back to the United States to stand trial, and he, like some of his co-conspirators, was convicted.

Landmarks Plot. Later in 1993, the FBI disrupted the "Day of Terror" plot which followers of Sheikh Rahman were in the midst of planning. Their plan was to blow up landmarks in the New York City area, including the Lincoln and Holland Tunnels, the George Washington Bridge, the United Nations, and the New York FBI Office. The FBI was able to prevent this attack by reactivating a source who had previously infiltrated this particular cell.

Manila Airlines Plot. In January 1995, the Philippine police uncovered the plot to blow up 12 airplanes bound for the United States. Two of the perpetrators had also discussed the possibility of flying a small plane into the headquarters of the CIA. The FBI, working with the Philippine government, was able to determine that Ramzi Yousef was involved in this attack, as was Khalid Sheikh Mohammed, the eventual mastermind of the September 11, 2001, attacks.

Khobar Towers Bombing. On June 25, 1996, terrorists attacked Khobar Towers in



RENO: Freeh seemed unwilling to shift resources to fight terrorism.

Saudi Arabia, killing 19 U.S. military personnel and wounding hundreds more. The FBI mounted a full-scale criminal investigation, deploying several hundred FBI personnel to Saudi Arabia to investigate the attack. The investigation resulted in the indictment of 13 individuals in June 2001.

East Africa Embassy Bombings. On August 7, 1998, al Qaeda operatives bombed the U.S. Embassies in Kenya and Tanzania, in nearly simultaneous attacks. Twelve Americans and more than 200 Kenyans and Tanzanians were killed, and over 4,000 were injured. The FBI deployed hundreds of agents and other personnel to Africa to investigate the attacks. Usama Bin Ladin and 22 other individuals were indicted for their role in these attacks. Four of these individuals were caught and convicted.

Millennium Plot. On December 13, 1999, Ahmed Ressam was detained by an alert U.S. Customs agent as he attempted to cross the border from Canada into the United States. During interviews later with the FBI, Ressam acknowledged that he was planning to conduct an attack at the Los Angeles International Airport. Based on information derived from both Ressam's arrest and the arrests in Jordan associated with a planned attack on an American-owned hotel, the CIA and FBI were mobilized to prevent a terrorist attack within the United States.

U.S.S. Cole Bombing. On October 12, 2000, terrorists conducted a suicide attack against the U.S.S. Cole, a U.S. naval warship stationed in the port of Aden, Yemen. Seventeen sailors were killed, and 39 were injured. The FBI deployed scores of agents and other personnel to Yemen, and determined that al Qaeda operatives were behind the attacks.

Approach to Counterterrorism

The FBI took a traditional law enforcement approach to counterterrorism. Its agents were trained to build cases. Its management was deliberately decentralized to empower the individual field offices and agents on the street.

The Bureau rewarded agents based on statistics reflecting arrests, indictments, and prosecutions. As a result, fields such as counterterrorism and counterintelligence, where investigations generally result in fewer prosecutions, were viewed as backwaters.

Agents developed information in support of their own cases, not as part of a broader, more strategic effort. Given the poor state

of the FBI's information systems, field agents usually did not know what investigations agents in their own office, let alone in other field offices, were working on. Nor did analysts have easy access to this information. As a result, it was almost impossible to develop an understanding of the threat from a particular international terrorist group.

Agents investigated their individual cases with the knowledge that any case information recorded on paper and stored in case files was potentially discoverable in court. Thus, there was a disincentive to share information, even with other FBI agents and analysts. Analysts were discouraged from producing written assessments which could be discoverable and used to attack the prosecution's case at trial.

In the investigative arena, the field office had primacy. Counterterrorism investigations were run by the field, not headquarters. Moreover, the field office that initiated a case maintained control over it, an approach the FBI called the "Office of Origin" model. This decentralized management structure allowed field offices to set their own priorities with little direction from headquarters.

Management Priorities and Challenges

The FBI determined early in the 1990s that a preventive posture was a better way to counter the growing threat from international terrorism. In its first budget request to Congress after the 1993 World Trade Center bombing, the FBI stated that, "merely solving this type of crime is not enough; it is



FREEH: "Begged and screamed" for technology improvement funding.

equally important that the FBI thwart terrorism before such acts can be perpetrated."

The FBI made several organizational changes at headquarters during the 1990s, including the creation of a Counterterrorism Center, the exchange of senior FBI and CIA counterterrorism officials, and the creation of a unit focused exclusively on Usama Bin Ladin. The FBI also expanded its overseas Legal Attaché program during this period, largely to improve its liaison with foreign governments on terrorism.

By the late 1990s, the FBI recognized that certain limitations undermined a preventive counterterrorism strategy, and it initiated several significant reforms to address them. These broad efforts were focused on intelligence collection and analysis, counterterrorism expertise and training, information technology, and the counter-

terrorism capacity of field offices.

Yet the FBI's leadership confronted two fundamental challenges in countering terrorism. First, the FBI had to reconcile this new priority with its existing agenda. This immediately required choices about whether to divert experienced agents or scarce resources from criminal or other intelligence work to terrorism. As the terrorism danger grew, Director Freeh faced the choice of whether to lower the priority the FBI attached to work on general crime, including the war on drugs, and allocate these resources to terrorism.

The Department of Justice Inspector General found that when the FBI designated "national and economic security" as its top priority in 1998, it did not shift its human resources accordingly. Although the FBI's counterterrorism budget tripled during the mid-1990s, FBI counterterrorism spending remained fairly constant between fiscal years 1998 and 2001. The Inspector General's 2003 report stated that prior to 9/11, "the Bureau devoted significantly more special agent resources to traditional law enforcement activities such as white collar crime, organized crime, drug, and violent crime investigations than to domestic and international terrorism issues." According to another external review of the FBI, by 2000 there were twice as many agents devoted to drug enforcement matters as to counterterrorism. On September 11, 2001, only about 1,300 agents, or six percent of the FBI's total personnel, worked on counterterrorism.

Former FBI officials told us that prior to 9/11, there was not sufficient national commitment or political will to dedicate the necessary resources to counterterrorism. Specifically, they believed that neither Congress nor the Office of Management and Budget fully understood the FBI's counterterrorism resource needs. Nor did the FBI receive all it requested from the Department of Justice, under Attorney General Janet Reno.

Reno told us that the Bureau never seemed to have sufficient resources given the broad scope of its responsibilities. She said in light of the appropriations FBI received, it needed to prioritize and put counterterrorism first. She also said that Director Freeh seemed unwilling to shift resources to terrorism from other areas such as violent crime. Freeh said that it was difficult to tell field executives that they needed to do additional counterterrorism work without additional resources.

Finally, even though the number of agents devoted to counterterrorism was limited, they were not always fully utilized in the field offices. We learned through our interviews that prior to 9/11, field agents often were diverted from counterterrorism or other intelligence work in order to cover major criminal cases.

The second core challenge was a legal issue that became a management challenge as well. Certain provisions of federal law had been interpreted to limit communication between agents conducting intelligence investigations and the criminal prosecution units of the Department of Justice. This was done so that the broad powers for gathering intelligence would not be seized upon by prosecutors trying to make a criminal case. The separation of intelligence from criminal investigations became known as the "wall." New procedures issued by Attorney General

seen as riddled with holes

Reno in 1995 required the FBI to notify prosecutors when "facts and circumstances are developed" in a foreign intelligence or foreign counterintelligence investigation that "reasonably indicate a significant federal crime has been, is being, or may be committed." The procedures, however, prohibited the prosecutors from "directing or controlling" the intelligence investigation.

Over time, the wall requirement came to be interpreted by the Justice Department, and particularly the Foreign Intelligence Surveillance Court, as imposing an increasingly stringent barrier to communications between FBI intelligence agents and criminal



ASHCROFT: Said he faced numerous FBI reform challenges.

prosecutors. Despite additional guidance on information sharing issued by Attorney General Reno in February 2000 and by Deputy Attorney General Larry Thompson in August 2001, the wall remained a source of considerable frustration and concern within the Justice Department. Justice Department prosecutors and FBI criminal agents were responsible for large criminal cases, like the Embassy bombings. The intelligence side of the FBI, though, had the legal tools that were essential for domestic intelligence work, such as FISA surveillance. In this environment, domestic counterterrorism efforts were impaired.

Attempts at Reform

The 1998 Strategic Plan. The FBI issued a five-year strategic plan in May 1998 that was spearheaded by Deputy Director Robert Bryant. With this plan, the FBI designated national and economic security, including counterterrorism, as its top priority for the first time in the Bureau's history. The plan emphasized that the FBI's goal in the counterterrorism arena was "to prevent horrific acts" such as the 1993 World Trade Center and 1995 Oklahoma City bombings. The plan recognized that the Bureau needed to substantially enhance its collection, analysis, and dissemination of intelligence in order to understand the terrorist threat, and thus become more proactive on national security issues.

The plan mandated development of a strong intelligence base, including human sources, intelligence collection, and reporting requirements. It called for implementation of a nationwide automated system to facilitate intelligence collection, analysis and dissemination.

It envisioned creation of a professional intelligence cadre of experienced and trained agents and analysts. It hoped for partnerships with intelligence community and national and local law enforcement agencies to leverage their expertise. As a result of the Strategic Plan, the FBI created an Office of Intelligence that was superseded by a new Investigative Services Division created in 1999.

The Investigative Services Division. That Division was intended to strengthen the FBI's strategic analysis capability across the spectrum of traditional criminal, counterintelligence, and counterterrorism cases. Thus, for the first time, the strategic analysis function was made independent of the operational divisions.

The Investigative Services Division also was intended to increase the professional stature of analysts. An internal review of the FBI's intelligence analysis function at this time found that 66 percent of the Bureau's analysts were not qualified to perform analytical duties. The review made recommendations for improvements. It appears that these recommendations were either not implemented or not enforced.

The new Division did not succeed. FBI officials told us that it did not receive sufficient resources, and there was ongoing resistance to its creation from the senior managers in the FBI's operational divisions. Those managers feared losing control. They feared losing resources. They feared they would be unable to get the assistance they wanted from the new Division's analysts.

Director Robert Mueller dismantled the Division soon after the 9/11 attacks.

The Counterterrorism Division and MAXCAP 05. In 1999, the FBI also created separate Counterterrorism and Counterintelligence Divisions intended to ensure sufficient focus on these two national security missions. By late 1999 Dale Watson, the first head of the new Counterterrorism Division, recognized the urgent need to elevate the counterterrorism capacity of the FBI organization-wide.

Watson developed a strategy he called MAXCAP 05. His goal was that the Bureau reach its "maximum feasible capacity" in counterterrorism by 2005 through a strategy focused on "intelligence gathering, valid and straightforward reporting and tracking mechanisms, effective interagency liaison and cooperation, and accountable program management."

During July and August of 2000 at four regional conferences, Counterterrorism Division leadership presented the new strategy to all of the FBI's Assistant Directors and Special Agents in Charge of the 56 FBI field offices. Field executives told Watson that they did not have the analysts, linguists, or technically trained experts to carry out the strategy. Watson asked for help from the Training Division and the new Investigative Services Division.

Dale Watson told us that trying to implement this strategy was the hardest thing he had ever done in his life. One year after the regional conferences, almost every FBI field office's counterterrorism program was assessed to be operating at far below "maximum capacity." Watson thought the FBI had to step up to a major choice of mission, perhaps turning over a significant share of narcotics enforcement to the DEA in order to free up resources for countering terrorism. Although he thought FBI Director

Freeh was sympathetic, most FBI managers opposed such a fundamental change before 9/11 and none of the pre-9/11 budgets made that choice.

The FBI's new counterterrorism strategy was not a focus of the Justice Department in 2001. Attorney General Ashcroft told us that upon his arrival at the Department, he faced a number of challenges that signaled the need for reform at the FBI. He mentioned the Ruby Ridge and Waco incidents, the Wen Ho Lee investigation, FBI agent Robert Hanssen's espionage, the late discovery of FBI documents related to the Timothy McVeigh case, and public disclosures about lost laptops and firearms.

The new Bush administration proposed an 8 percent increase in overall FBI funding for fiscal year 2002. This included the largest proposed percentage increase in the FBI's counterterrorism program since fiscal year 1997. On May 9, 2001, Attorney General John Ashcroft testified at a hearing on U.S. federal efforts to combat terrorism. He testified that the Justice Department had no higher priority than to protect citizens from terrorist attacks.

On May 10, 2001, the Department issued guidance for developing the fiscal year 2003 budget that made reducing the incidence of gun violence and reducing the trafficking of illegal drugs priority objectives. Watson told



PICKARD: Appealed in vain to Ashcroft for counterterror upgrade.

us that he almost fell out of his chair when he saw the memo, because it made no mention of counterterrorism. The Department prepared a budget for fiscal year 2003 that did not increase counterterrorism funding over its pending proposal for fiscal year 2002. It did include an enhancement for the FBI's information technology program intended to support the collection, analysis, and rapid dissemination of information pertinent to FBI investigations. Acting FBI Director Thomas Pickard told us he made an appeal to Attorney General Ashcroft for further counterterrorism enhancements not included in this budget proposal. On September 10, the Attorney General rejected that appeal.

Despite recognition by the FBI of the growing terrorist threat, it was still hobbled by significant deficiencies.

Intelligence Collection

Intelligence collection efforts should begin with a strategy to comprehend what is

being collected, identify the gaps, and push efforts toward meeting requirements identified by strategic analysis. Prior to 9/11 the FBI did not have a process in place to effectively manage its intelligence collection efforts. It did not identify intelligence gaps.

Collection of useful intelligence from human sources was limited. By the mid-1990s senior FBI managers became concerned that the Bureau's statistically-driven performance system had resulted in a roster of mediocre sources. The FBI did not have a formal mechanism for validating source reporting, nor did it have a system for adequately tracking and sharing such reporting, either internally or externally.

The "wall" between criminal and intelligence investigations apparently caused agents to be less aggressive than they might otherwise have been in pursuing Foreign Intelligence Surveillance Act (FISA) surveillance powers in counterterrorism investigations. Moreover, the FISA approval process involved multiple levels of review, which also discouraged agents from using such surveillance. Many agents also told us that the process for getting FISA packages approved at FBI Headquarters and the Department of Justice was incredibly lengthy and inefficient. Several FBI agents added that, prior to 9/11, FISA-derived intelligence information was not fully exploited but was collected primarily to justify continuing the surveillance.

The FBI did not dedicate sufficient resources to the surveillance or translation needs of counterterrorism agents. The FBI's surveillance personnel were more focused on counterintelligence and drug cases. In fact, many field offices did not have surveillance squads prior to 9/11. Similarly, the FBI did not have a sufficient number of translators proficient in Arabic and other languages useful in counterterrorism investigations, resulting in a significant backlog of untranslated FISA intercepts by early 2001.

FBI agents received very little formalized training in the counterterrorism discipline. Only three days of the 16-week new agents course were devoted to national security matters, including counterterrorism and counterintelligence, and most subsequent counterterrorism training was received on an ad hoc basis or "on the job."

Additionally, the career path for agents necessitated rotations between headquarters and the field in a variety of work areas, making it difficult for agents to develop expertise in any particular area, especially counterterrorism and counterintelligence. We were told that very few FBI field managers had any counterterrorism experience, and thus either were not focused on the issue or did not have the expertise to run an effective program.

Finally, agents' investigative activities were governed by Attorney General Guidelines, first put in place in 1976 and revised in 1995, to guard against misuse of government power. The Guidelines limited the investigative methods and techniques available to agents conducting preliminary investigations of potential terrorist activities or connections. They prohibited the use of publicly available source information, such as that found on the Internet, unless specified criteria were present. These restrictions may have had the unintended consequence of causing agents to avoid legitimate investigative activity that might conceivably be viewed as infringing on religious liberties or lawful

Continued on Page 10

Holes in the pre-9/11 net

Continued from Page 9

political protest. Agents we interviewed believed these limitations were too restrictive and adversely affected their counterterrorism intelligence investigations.

Strategic Analysis

It is the role of the strategic analyst to look across individual operations and cases to identify trends in terrorist activity and develop broad assessments of the terrorist threat to U.S. interests. The goal is not abstract. Such analysis drives collection efforts. It is the only way to evaluate what the institution does not know. The FBI had little understanding of, or appreciation for, the role of strategic analysis in driving investigations or allocating resources.

The role of the tactical analyst, on the other hand, is geared toward providing direct support to investigations. Agents viewed tactical analysts as performing duties that advanced their cases. They failed to see the value of strategic analysis, finding it too academic and therefore irrelevant. Creation of the ill-fated Investigative Services Division may have worsened this attitude by distancing strategic analysts from agents in the operational divisions.

Moreover, strategic analysts had difficulty getting access to the FBI and Intelligence Community information they were expected to analyze. The poor state of the FBI's information systems meant that analysts' access to information depended in large part on their personal relationships with individuals in the operational units or squads where the information resided. In short, analysts didn't know what they didn't know. As a result, prior to 9/11 relatively few strategic counterterrorism analytical products had been completed. Indeed, the FBI had never completed an assessment of the overall terrorist threat to the U.S. homeland. According to the Department of Justice Inspector General, FBI officials were comfortable relying on their individual professional judgment regarding the terrorist threat and "did not value a formal written assessment that uses a structured methodology."

Compounding this situation was the FBI's tradition of hiring analysts from within the agency rather than recruiting individuals with the relevant educational background and expertise. In our field visits, we encountered several situations in which poorly qualified administrative personnel were promoted to analyst positions, in part as a reward for good performance in other positions. When the FBI hired or promoted people with appropriate analytical skills and experience, the Bureau's lack of a long-term career path and a professional training program caused many capable individuals to leave the Bureau or move internally to other positions. In addition, managers often did not use qualified analysts effectively, especially in the field. Some field analysts we interviewed told us they were viewed as "uber-secretaries," expected to perform any duty that was deemed non-investigative, including data entry and answering phones. Headquarters managers often did not have sufficient staff support, so they, too, turned to analysts to perform policy-oriented and programmatic duties that were not analytic in nature.

Knowledge Management

Prior to 9/11, the FBI did not have an adequate ability to know what it knew. In

other words, the FBI did not have an effective mechanism for capturing or sharing its institutional knowledge. FBI agents did create records of interviews and other investigative efforts, but there were no reports officers to condense the information into meaningful intelligence that could be retrieved and disseminated.

The FBI's primary information management system, designed using 1980s technology already obsolete when installed in 1995, limited the Bureau's ability to share its information internally and externally. The FBI did not have an effective system for storing, searching, or retrieving information of intelligence value contained in its investigative files.

Director Freeh told us that he went before congressional staff and members twice a year "begging and screaming" for funds to improve the FBI's information technology infrastructure. Former Department of Justice and FBI officials told us that the FBI lacked personnel with the necessary expertise leading its information technology improvement efforts, increasing Congress's reluctance to support funding proposals in this area.

Once Freeh brought former 30-year IBM executive Robert Dies on board in 2000, the Bureau developed a comprehensive information technology plan that Congress supported. The FBI received congressional approval in late 2000 for the "Trilogy" project, a 36-month plan for improving its networks, systems, and software. Dies told us that given the enormity of the task at hand, his goal was merely to "get the car out of the ditch." As of September 2001, the project was underway but by no means fully implemented.

The FBI's Joint Terrorism Task Forces (JTTFs) were the primary mechanism for sharing counterterrorism information with other law enforcement agencies in the field. The FBI expanded the number of JTTFs throughout the 1990s, and by 9/11 there were 35.

The JTTFs, while useful, had limitations. The JTTFs set their own priorities in accordance solely with regional and field office concerns, and most were not fully staffed. Many state and local entities believed they would gain little from having a representative on a JTTF. Most detailees performed primarily a liaison function rather than serving as full working members of the JTTFs, and many did not have access to either FBI information systems or their own home agency systems while in the FBI workspace. Moreover, the supervisors in their home agency chains of command often did not have security clearances, making it difficult to share important intelligence information.

We were told that at headquarters, information sharing between the FBI and CIA improved greatly when the agencies began exchanging senior counterterrorism officials in 1996. After serving on rotation, senior officials better understood the other agency's mission and capabilities. As will be discussed in the next staff statement, however, there were other problems with information sharing between the FBI and the CIA. The FBI's inability or unwillingness to share information reportedly frustrated White House national security officials. According to former National Counterterrorism Coordinator Richard Clarke, the National Security Council never received



MUELLER: Dismantled investigative unit after 9/11 attacks.

anything in writing from the FBI whatsoever. Former Deputy National Security Adviser James Steinberg stated that the only time that the FBI provided the National Security Council with relevant information was during the Millennium crisis. Clarke told us that Attorney General Reno was notified that the National Security Council could not run an effective counterterrorism program without access to FBI information.

The Justice Department representative on Clarke's interagency group, the Counterterrorism and Security Group, has told us, however, that — to his knowledge — neither Clarke nor anyone else at the NSC raised any systemic issue of FBI information sharing as a policy issue or a matter to be considered by the Attorney General. Reno, in any case, initiated biweekly briefings of National Security Adviser Samuel Berger with FBI Director Freeh.

Reno told us that she was very concerned about the Bureau's information sharing and intelligence capabilities. In 2000, Reno sent several memoranda to Director Freeh expressing these concerns. One memo stated that "it is imperative that the FBI immediately develop the capacity to fully assimilate and utilize intelligence information currently collected and contained in FBI files and use that knowledge to work proactively to identify and protect against emerging national security threats." Reno's requirements involved improved information sharing, improved counterterrorism training, a threat assessment, and a strategy to counter that threat. It is not clear what actions the FBI took in response to these directives from the Attorney General.

Terrorist Financing

The FBI worked hard on terrorist financing investigations. The Bureau primarily utilized an intelligence approach to these investigations. Agents in a number of field offices gathered intelligence on a significant number of suspected terrorist financing organizations. Prior to September 11, these FBI offices had been able to gain a basic understanding of some of the largest and most problematic terrorist financing conspiracies that have since been identified. The agents understood that there was a network of extremist organizations operating within the United States supporting a global Islamic jihad movement. They did not know the degree to which these extremist groups

were associated with al Qaeda. It was also unclear whether any of these groups were sending money to al Qaeda. The FBI operated a web of informants, conducted electronic surveillance, and had opened investigations in a number of field offices. Numerous field offices, including New York, Chicago, Detroit, San Diego, and Minneapolis, had significant intelligence investigations into groups that appeared to be raising money for Islamic extremist groups. Many of these groups appeared to the FBI to have some connection to either al Qaeda or Usama Bin Ladin.

The problems in the FBI's counterterrorism program affected these fundraising investigations as well. The FBI was hampered by an inability to develop an endgame. Its agents continued to gather intelligence with little hope that they would be able to make a criminal case or otherwise disrupt the operation. Agents were stymied by rules regarding the distinction between intelligence and criminal cases, in part due to the "wall" then in place between criminal and intelligence investigations, described above.

Making a terrorist financing case was at least as difficult, and perhaps more so, than other similarly complex international financial criminal investigations. The money inevitably moved overseas. Once that occurred, the money was much harder to track, and the agents were at a dead end. In addition, due to the FBI's inadequate information management systems, strategic analysts, and information sharing capabilities prior to 9/11, the FBI lacked a fundamental strategic understanding of the nature and extent of the al Qaeda fundraising problem within the United States. As a result, the FBI could not fulfill its responsibility to provide intelligence on domestic terrorist financing to government policymakers, and did not contribute to national policy coordination on this issue. Instead, FBI agents simply kept tabs on these fundraisers, even as millions of dollars flowed to foreign Islamic extremists.

Conclusion

¶ From the first World Trade Center attack in 1993, FBI and Department of Justice leadership in Washington and New York became increasingly concerned about the terrorist threat from Islamic extremists to U.S. interests both at home and abroad.

¶ Throughout the 1990s, the FBI's counterterrorism efforts against international terrorist organizations included both intelligence and criminal investigations. The FBI's approach to investigations was case-specific, decentralized and geared toward prosecution. Significant FBI resources were devoted to after-the-fact investigations of major terrorist attacks, resulting in several prosecutions.

¶ The FBI attempted several reform efforts aimed at strengthening its ability to prevent such attacks, but these reform efforts failed to effect change organization-wide.

¶ On September 11, 2001, the FBI was limited in several areas critical to an effective, preventive counterterrorism strategy. Those working counterterrorism matters did so despite limited intelligence collection and strategic analysis capabilities, a limited capacity to share information both internally and externally, insufficient training, an overly complex legal regime, and inadequate resources.

NYPD academy training gets a new look

Continued from Page 1

to pass, said Dr. James J. Fyfe, a retired NYPD lieutenant who was plucked from academia in 2002 to become the police department's deputy commissioner for training.

"It was cops that began to teach this," Fyfe told Law Enforcement News. "My sense was that a lot of them didn't really have the expertise that was presumed in the report. But the worst thing was that the three different curriculums were taught in an uncoordinated way."

Rookies often received redundant or inconsistent instruction on such topics as how to deal with emotionally disturbed persons, said Fyfe. What the academy did was throw out that entire mode of teaching. Where each recruit previously had three different instructors, now they are taught by "generalist" instructors who teach the entire curriculum. A senior instructor and a junior instructor were given responsibility for teaching one recruit company.

"That did several things," Fyfe said. "One was that it built a stronger relationship. It bought a real tight relationship with them and it invested everybody and made sure everyone did well."

While the rookies were going through their training, the academy staff was only a few weeks ahead of them with the task of rewriting the training guide. A committee that was convened following the graduation of the 2002 class in January 2003 identified 40 subjects in the curriculum deemed of great importance, and went on to create a new 1,400-page text.

The training period was divided into two sections: the knowledge and fitness term, and the skills and abilities term. During the first, recruits had 16 weeks of classroom work and physical education. Three exams were given, plus the exit fitness test. Failure on any of these tests meant a recruit could be washed out, said Fyfe.

"Everybody has to take an entrance-level physical exam to get into the job, but to graduate from the academy, they have to pass another, more stringent physical examination," he said.

Instead of having them take the exit physical at the end, the rookies took the exam within the first few days they were at



Deputy Commissioner Jim Fyfe

Top-to-bottom training shakeup

the academy. Out of a class of 1,430, 980 failed at least one part of it, he said. Those who did were given colored armbands — red if they failed the running section, blue if they could not do pull-ups, green for sit-ups, and so forth. At the end, some had four of five armbands, said Fyfe.

While it was stigmatizing, he said, it also helped instructors give personal attention where it was needed. And when the rookie finally passed that section, a ceremony was made of removing the armband. At the end, only 12 rookies failed the physical.

Only 19 recruits failed the three classroom exams given during the first term, or 1.3 percent. In years past, said Fyfe, between 8 percent and 10 percent either flunked the tests, or left with a failing average.

The second term included firearms instructions, driver's training and a series of scenarios designed by instructors to familiarize rookies with paperwork, patrol and other job-related skills.

Passing the academic and physical curriculum was the prerequisite for getting to go to the shooting range, said Fyfe. The academy closed the driving school and firing range to everyone but rookies for 10 weeks. The rookies were put through weapons training for 12 consecutive days, compared



Avoiding the armband: Failure on a physical fitness component earns an unwanted distinction — along with a chance to improve.

to the one-day-at-a-time approach that was previously employed.

"That became much more intense," he said. "You didn't have to go back everyday and say, 'This is what you learned the last time you were here last month.'"

The six-story police academy was turned into a neighborhood, with precinct houses and street addresses. For example, the fourth floor became Police Academy Precinct South, and the fifth floor, the North Precinct. Room numbers were made into addresses — room 412 became 412 Oak Street. Rookies assigned to the staircases were given walkie-talkies and told they were on "vertical patrol" in public housing. Those assigned to the basement were in the subway system.

Each room held something different. Some were told that they would find an EDP at the address, or a domestic violence case. Instructors sitting in the room watched them and scored them on the exercise. Then they

would leave and report to the "precinct" where they would fill out the proper paperwork.

"When each scenario was over, the recruits were debriefed on how well they did, what kind of mistakes they made," said Fyfe. "Then their paperwork was corrected, which is always a big complaint on this job."

The academy contracted with John Jay College of Criminal Justice for a one-day version of the EDP training given to Emergency Service Unit officers, a program that was paid for by the city Department of Mental Health and Hygiene. Recruits also underwent response training to chemical and biological incidents.

Among the most significant changes was the rewriting of the final exam at the end of the 10-week skills and ability term. Recruits were given four hours to complete the 50-question, open-book exam. They were allowed to use their patrol guide, department manual and law texts.

"When I looked at our exam, I found in my judgment it was a reading test, plain and simple," said Fyfe.

In 2002, 30 percent of recruits failed it — 40 percent of the blacks, 30 percent of the Hispanics and 20 percent of the whites. Statistics drawn from the results found that 34 percent of the variation on the scores was attributable to reading levels. White rookies were found to read at a higher level than did blacks and Hispanics.

The test was rewritten. While instructors did not change the answers, they changed the way the questions were phrased. Questions now ask recruits to identify the statements that are correct, and avoid the potentially confusing use of double negatives. Recruits are quizzed on information an officer would need if a decision had to be made out on the street without ready access to the patrol guide or manual.

"We brought the failure rate down very dramatically," said Fyfe. "In the end, we wound up last year failing about 6 percent of kids — but there was still a disparity among blacks, Hispanics and whites. This time, we changed the curriculum, we started with this policy from the get-go, and our failure rate for the first exam was 2.9 percent. We wound up failing 19 of out 1,400, with no disparities."

Unfit for duty:

Sick leave decimates ranks of D.C. police

The Metropolitan Police Department in Washington, D.C., might have the highest number of officers per capita of any major police force in the nation, yet agency is still experiencing staffing shortages due to the number of officers out on sick leave at any given time.

According to MPD statistics, roughly 10 percent of the force is on long-term sick leave or "limited duty," or 384 officers out of a force of 3,700 — enough to fully staff one of the city's seven patrol districts.

"They're on the rolls, like they're out in the community, but they're not," said Linda Jo Smith, chairwoman of the department's Citizens Advisory Committee for the 6th District, which covers a wide area east of the Anacostia River. Forty-six of the 330 officers assigned to the 6th District are on sick leave or limited duty.

"It's like, 'Get them off! Get somebody

who can handle the job,'" she told The Washington Post.

Since 1998, the number of D.C. officers on extended sick leave grew by 56 percent, to the current total of 144. Another 240 employees are on limited duty due to stress or injury — a figure that has soared by 81 percent since 1998. And nearly 200 officers have been on sick leave or limited duty for more than six months, almost double the number in 1998.

While Chief Charles H. Ramsey said he has no explanation for the high level of absenteeism on the force, he has pointed to the city's Police and Fire Retirement Board as one factor. The board, which handles cases of disabled officers referred by the police department's clinic, moves too slowly, said Ramsey. It also handles claims from the D.C. Fire Department and Emergency Medical Service and some from the Secret Service

and U.S. Park Police.

Last year, Ramsey implemented an emergency measure that allowed commanders to call in officers on short notice as a way to shore up depleted patrols. In addition, a plan has been proposed to overhaul the way officers are deployed. Under the initiative, the city's Police Service Areas would be condensed from 83 to 43 and officers shuffled into neighborhoods with higher crime rates.

Ramsey said he planned to increase the number of patrol officers manning PSAs from 1,595 to 1,769. The minimum staffing in each of the 43 areas would be 21 officers a day. As many as 90 could be assigned to those designated as high-crime spots.

New legislation, if approved by the City Council, would also force some officers to retire if they spent 172 days injured within a two-year span. The department would be

forced to decide within 30 days whether an injury occurred in the line of duty. If the department took longer, the claim would automatically be presumed to have occurred on duty.

The Fraternal Order of Police has maintained that the department's system for handling on-duty injury claims is to blame for the delays. Police doctors, according to the FOP, tend to prescribe conservative treatments that can last for months.

"I have seen officers through the years who get the typical 'Take two aspirin, call me in a week' when they have severe pain" from such maladies as fractures and bulging disks, said Gary Hankins, a consultant to the FOP.

Ramsey said that in the short term, he is considering a casualty unit that would investigate officers suspected of malingering.

"What we've got to do is focus on the people that will abuse the system," he said.

Dogfighting proves much more than cruelty to animals

Continued from Page 1

match in Columbus last year while executing a search warrant for drugs. The operation netted 40 arrests.

"The vast majority of these people who go to dog fights are drug traffickers," Hunt told Law Enforcement News. There will be substantial amounts of narcotics and firearms, not to mention illegal gambling, wherever these fights take place. "There's a vast amount of money within this underground industry," he said.

Among numerous incidents in the past year:

¶ Two narcotics and weapons raids were conducted in February by a federal task force on a house in Buffalo, N.Y., where dog fighting was believed to be held. Three people were arrested on federal charges, and 11 fighting dogs were confiscated.

¶ St. Lucie County, Fla., sheriff's investigators carrying out a search warrant for drugs in January found five alleged fight dogs and one bait dog whose face, they said, was practically "chewed off." The two homeowners were charged with felony possession of marijuana with intent to sell, cruelty to animals, and fighting or baiting animals.

¶ Police in Lebanon, Tenn., last October arrested 22 people and seized five dogs after breaking up a dog fight. The group was charged with animal cruelty, gambling and evading arrest. Fifteen cars from six states were confiscated.

Dog fighting, which has been around for hundreds of years, has been a crime in all 50 states since the mid-1900s. Only three states still consider it a misdemeanor — Iowa, Idaho and Wyoming.

Up until the last 10 to 15 years, though, law enforcement officers received little if any training in investigating the crime. Police were reluctant to be pulled into an area they did not consider a law enforcement issue, and dog fighting seemed to slip beneath the radar even as penalties for it were upgraded by states.

"Look at law enforcement," said Hunt. "We're often asked to do more with less and you really have to kind of prioritize. A lot of police officers, including me at one point,

would say I have a lot of stuff on my plate — but I think that apathy is slowly starting to dissipate. A lot of police officers are seeing the need to do these cases."

And not just because of the other illegal activities that go along with dog fighting, said Hunt, but on the activity's own merits.

"It's a very violent sport — if you can even call it sport, that's how they refer to it," he said.

The Columbus raid capped a yearlong investigation by the Franklin County sheriff's office. A SWAT team broke into an auto body shop and found a 14-by-20-foot rectangular fighting pit with 3-foot-high sideboards. Eight dogs were seized, two of which needed emergency medical treatment.

In January, Newton County, Ga., sheriff's investigators broke up a match in Covington and made 123 arrests on charges of animal cruelty and gambling. More than \$250,000 was confiscated during the raid. Participants had hoped to win a \$50,000 winner-take-all pot.

Dog fighting became a felony in Georgia in 1983. It carries a penalty of up to five years in prison and a \$5,000 fine.

"You've got guys who have been here on the force 30 or 35 years, and it's the largest thing they've ever seen," Newton County sheriff's Sgt. Mark Mitchell told The Florida Times-Union.

In metropolitan areas, the frequency of dog fighting can be gauged by the numbers of dogs, primarily pit bulls, that are picked up by animal control officers with scars or injuries that are severe. They are fought over and over again, "until they're used up," said the Humane Society's Sakach.

"It's always been a constant problem," said Buffalo, N.Y., Detective Sgt. Robert Chella, who heads the department's Police Special Services Unit. "For some reason we just happen to be one of those cities where people like doing this. There is big money in this, and there are substantial bets."

Recent shootings around the city are believed to be the result of dog fights that have "gone bad," authorities told The Buffalo News.

The Internet and underground publications devoted to dog fighting have been key

factors in its growth.

According to Pat Wagner, head of the Humane Society's dog-fighting task force, the organization has a list of more than 2,100 breeders of fighting dogs taken just off the Web, and that tally grows by 10 to 15 each week, she told LEN.

"Ever since people became aware of the Internet and the possibilities, it's helped dog fighting grow incredibly," she said.

Sakach teaches an eight-hour course that has been

certified by California's Police Officers Standards and Training Commission for the past seven years. The session covers everything from the current scope of the problem to investigative techniques, officer safety issues, and search warrants.

The training has been provided to vice officers with the Los Angeles Police Department, the Los Angeles County Sheriff's Department, the San Diego Police Department, the Oakland Police Department and the Calaveras County Sheriff's Department. Sakach has also instructed officers from the Las Vegas Metro Police Department and the Colorado Bureau of Investigation, among other agencies.

"What we're seeing is, as officers become more familiar with these sorts of activities, [they] understand the serious nature and the fact that it is in fact organized crime," he told LEN. "Generally, these are cesspools of a lot of different criminal activities."

In addition to street-level dog fighting, which involves gangs, Sakach said there are two other levels recognized by the task force: hobbyist and serious.

At the hobbyist level, he said, people are generally from a blue-collar background, are high school educated, and buy their dogs for a few hundred dollars from newspaper classified ads. They fight locally and know most of the individuals involved in the immediate area. Hobbyists also tend to subscribe to underground publications.



Beaten up, bloodied, but still hanging tough, a pit bull recovers from wounds received in an illegal dogfighting match.

Those who consider themselves "serious dog men," said Sakach, purchase dogs through the Internet and through underground publications. The acquisition cost alone can run into the thousands. At this level, fights are major matches with actual contracts drawn up specifying the name, weight and sex of the dogs and the rules that will be followed, among other details.

Unless a department has intelligence in this area, it is unlikely police will raid a dog fight in progress. Most of the time, information comes as tips.

"I'm aware of spouses or common-law wives who have been abused, that saw this as the way out of their relationship or marriage so they would inform on their husband," said Sakach. "Sometimes it was simply because they were gambling away the mortgage and grocery money."

California, along with other states, has "intent" statutes that make it illegal to possess or own a dog for fighting. Those are the types of cases that are in progress much of the time, according to Sakach, and are generally easy to establish. Dog fighters usually have the same types of items, including various medications for the animal, exercise equipment, and dog-fighting magazines.

"Frequently, these characters videotape their activity," he said. "Why criminals do that, I don't know, I'm just happy for them to continue it."

ADAM bomb:

Drug-use monitoring effort hits the rocks

Criminal justice experts are bemoaning the recent demise of a Justice Department program that measures drug use among criminals.

The Arrestee Drug Abuse Monitoring program, or ADAM, was discontinued due to budget cuts, according to Sarah V. Hart, director of the National Institute of Justice.

Launched in 1983 under the Reagan administration, ADAM tested newly arrested criminals entering jail on narcotics violations in 35 cities. Over the years, the program has helped policymakers and practitioners track trends in drugs such as methamphetamine and crack.

The budget passed by Congress earlier this year allocated \$6 million in discretionary funds to NIJ to spend on social science initiatives, down from \$20 million in the 2003 fiscal year. Drug testing for inmates alone costs \$8.4 million a year.

"We can't put every dime into methodology for drug testing," said Hart. "We have obligations to do research in many other areas of the criminal justice system."

The NIJ will be soliciting proposals to conduct research on policing, community crime prevention, alcohol- and drug-related crime, and justice system improvement, among other topics, the agency announced. Data collected by ADAM in 2003 will be analyzed and tabulated, and this information, along with previous years of data, will be archived and made available for researchers.

Planning for a less expensive system to replace ADAM was begun prior to the passage of the appropriations bill, Hart noted in a statement. Such a system would gather data from 25 locations, with additional sites added to contribute to a national estimate of drug use among arrestees.

An official with the White House Office

of National Drug Control Policy said that while he had "enormous respect" for ADAM, the Bush administration had been forced by budgetary constraints to rethink the program. A program that would provide a national estimate on drug use among criminals at less cost is being developed.

"We believe that a national estimate of arrestee drug use can be produced at a cost that is similar to the current ADAM program through a balance of strategically selected self-representing core sites and carefully timed data collection at other sites," the official said.

But social scientists beg to differ. "This is a real loss," said Mark A.R. Kleiman, a professor of public policy at the University of California, Los Angeles, and editor of The Drug Policy Analysis Bulletin. "Closing down ADAM indicates a complete lack of seriousness about getting a handle on

the drug abuse problem in this country."

Plans by the government to spend \$50 million a year for a household survey administered through the Substance Abuse and Mental Health Services Administration would not extract the same type of information that ADAM does, said Kleiman.

The household survey asks people to report drug use voluntarily and does not require urine testing. As a result, Kleiman told The New York Times, it misses "about 90 percent of the cocaine that is used," the bulk of which is consumed by hard-core users who are also criminally active.

Moreover, a program to test students for drug use at a cost of \$23 million would also be ineffective, he said. Students consume relatively little quantities of hard drugs, and in any event no studies have shown that drug testing deterred them from using those substances.

Stein, Hodgson:

Police & ADD — Attention must be paid

By David B. Stein
and James Hodgson

It is hoped that this article does not dissuade any officer experiencing personal problems or emotional distress from seeking counseling or psychological help. The days of stigma for getting help are hopefully long past. However, the issue of officers questioning whether or not they have a problem with attention, known as Attention Deficit Disorder (ADD) or Attention Deficit Hyperactive Disorder (ADHD), is a special problem, one that necessitates that officers be armed with appropriate information about the subject before seeking help. This article is written because officers have stepped forward questioning whether or not they might have ADD/ADHD.

Imagine the following case scenario:

Officer McDougal drives up to a burglary in progress. He draws his weapon and appropriately calls out, "Halt! Police! Drop everything and slowly raise your hands." The perpetrator suddenly turns and pulls a bologna sandwich, wrapped in aluminum foil, from his right pocket in order to offer it to the officer. Believing the object to be a gun, Officer McDougal fires, resulting in the perpetrator being paralyzed from a bullet in the spine.

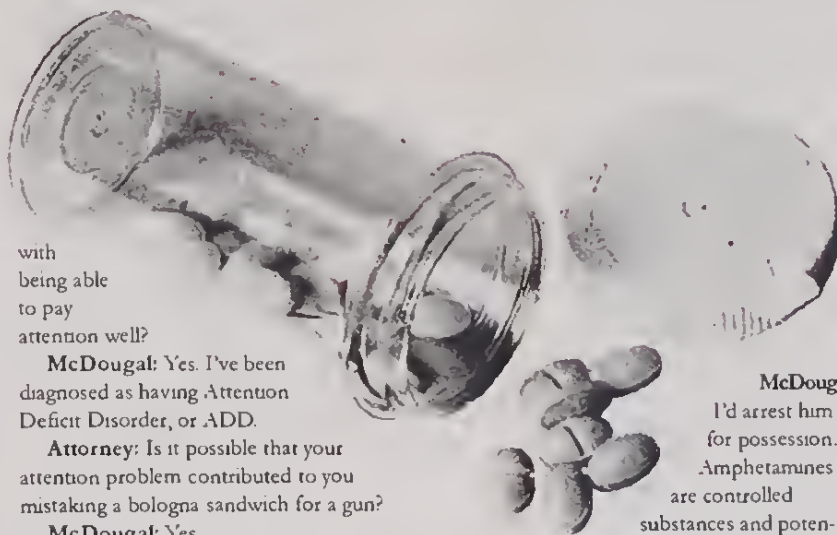
One year later, Officer McDougal finds himself being cross-examined in civil court, facing a \$10-million lawsuit for damages. The following dialogue, between the plaintiff's attorney and McDougal takes place:

Attorney: (Officer, did you believe my client had a gun?

McDougal: Yes

Attorney: Do you have any problems

(David B. Stein, Ph.D., is professor of psychology and forensics diplomate at Longwood University in Farmville, Va. James F. Hodgson, Ph.D., is professor and chair of the criminal justice program at Ferrum College in Ferrum, Va. They may be contacted at dstein@longwood.edu and jhodgson@moonstar.com, respectively.)



McDougal: Yes. I've been diagnosed as having Attention Deficit Disorder, or ADD.

Attorney: Is it possible that your attention problem contributed to you mistaking a bologna sandwich for a gun?

McDougal: Yes.

Attorney: Do you believe that anyone with a problem with attention should be carrying a gun?

Defendant's Attorney: Objection, calls for speculation.

Attorney: I'll rephrase. Do you think, with your attention problem, that you should be carrying a gun?

McDougal: I don't know. I've never thought about it.

Attorney: Well my paralyzed client has. Are you being treated for this disorder?

McDougal: Yes. I'm on medication.

Attorney: What is your medication?

McDougal: Adderall.

Attorney: What is Adderall?

McDougal: I don't know.

Attorney: Allow me to read into evidence from The Physician's Desk Reference. It says here that Adderall contains four amphetamines, including Benzedrine and Dexedrine. Would you trust a gun in the hands of anyone who had taken four amphetamines?

McDougal: No.

Attorney: What would you do if you found a suspect who was holding four amphetamines in his pocket without a prescription?

McDougal:

I'd arrest him for possession.

Amphetamines are controlled substances and potentially dangerous.

Attorney: But, isn't that what you're consuming while carrying a gun?

The courtroom turns silent. This case is not going well for Officer McDougal, is it?

There is a current trend for adults to question whether or not they have Attention Deficit Disorder. In most professions, being diagnosed as having ADD is not a particular problem. However, in professions such as law enforcement, where lives are at stake, receiving such a label can jeopardize a career. It is therefore essential that all officers be armed with some important facts before seeking treatment for attention problems.

Fact 1: There is no medical test for Attention Deficit Disorders.

Fact 2: There is no psychological test for Attention Deficit Disorders. Therefore, there is no way to determine if an officer, or anyone, has such a thing called Attention Deficit Disorder. D.B. Stein, in the book "Ritalin Is Not the Answer" (Wiley, Josev-Bass, 1999) says it is nothing more than a subjective label applied to someone, usually by a psychologist, psychiatrist or physician. Once diagnosed, and when it becomes a matter of record, it could cause legal

problems for an officer, especially for responses during critical incidents, such as when a shooting occurs.

Fact 3: All diagnoses, when insurance is used, are housed in a computer in Washington, D.C., to which any attorney can gain access. This includes all so-called confidential psychological or psychiatric diagnoses.

Fact 4: Once a diagnosis is discovered, it is relatively easy for an attorney to deduce possible medications and then obtain relative records.

Fact 5: The drugs used to treat Attention Deficit Disorders are stimulants, most of which are amphetamines. Ritalin, the second most prescribed drug, acts very much like cocaine in the body. Gradumet and Desoxyn are both methamphetamines. Adderall has four amphetamines in it. Benzedrine can no longer be prescribed, even for adults, and yet it is in Adderall. Dexedrine and Dextrostat are both basic forms of amphetamines. Focalin is a stronger version of Ritalin. Concerta is long-acting Ritalin. Should any officer, who is in a life-and-death decision-making profession, have these drugs on his or her record?

Fact 6: These drugs *do not* correct a chemical imbalance, especially since no chemical imbalance has ever been proven to exist. All psychiatric drugs have one common property — they allay anxiety — and this includes the stimulants, stimulants also give a feeling of energy.

If an officer believes that he or she has ADD, the odds are that his or her real problem is anxiety in the midst of an overly hectic lifestyle. Those officers who claim that the drugs help are probably more accurately feeling anxiety relief with an increased sense of energy. However, make no mistake about it, if an officer has an amphetamine in his or her system, he or she is intoxicated and his or her judgment is most likely impaired, and can easily be subject to question in a courtroom.

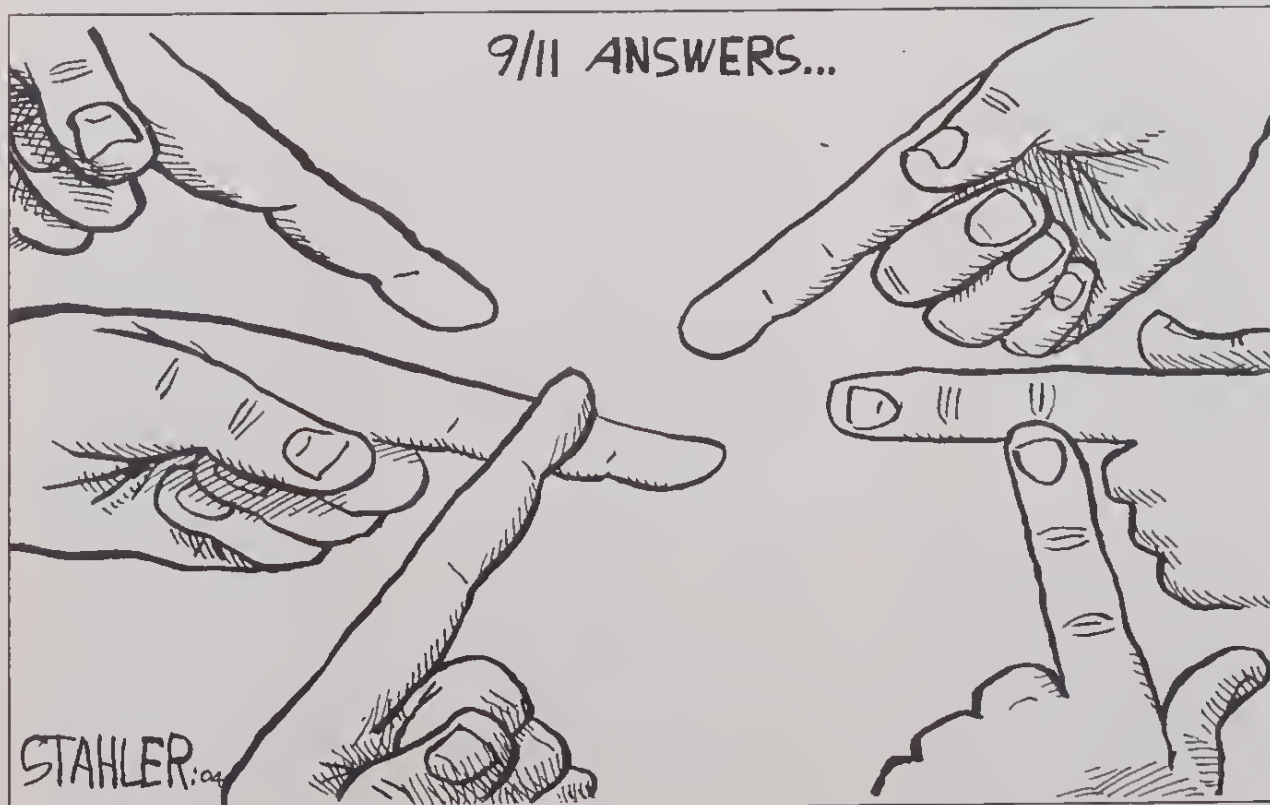
Alternative Solutions

There are healthy ways to deal with attention problems, which are also less likely to cause unwanted scrutiny and embarrassment in a court of law.

¶ If an officer is having problems with attention, let this serve as a warning that his or her life may have spiraled out of control. It may be that stress and anxiety are interfering with attending to everyday matters.

¶ Check to see if the officer has too much on his or her plate. Can he or she reduce church activities? Avoid going to every single game that his or her kid plays? Must one serve as a coach? Is more time needed simply to chill out or veg out? One solution to stress management is to cut out

Continued on Page 14



Note to Readers:

The opinions expressed on the Forum page are those of the contributing writer or cartoonist, or of the original source newspaper, and do not represent an official position of Law Enforcement News.

Readers are invited to voice their opinions on topical issues, in the form of letters or full-length commentaries. Please send all materials to the editor.

Tacoma builds bridge with DV policy

Continued from Page 1

officer involved in the incident will be dispatched. Once there, the supervisor, among other duties, must address the immediate and future safety of the victim and any children, providing transportation to another safe location if deemed necessary. Personal firearms will be confiscated, as will any service weapons.

If a Tacoma officer is arrested or there is probable cause for an arrest but the employee has left the scene, the chief, the internal affairs unit and the family violence unit coordinator will all be notified. The mayor, city manager and prosecutor will be informed if the suspect is the chief, the policy states.

The department's family violence unit coordinator responds to every domestic-violence arrest involving either a Tacoma officer or one from another jurisdiction who is picked up within city limits. In addition to acting as a liaison between the victim and the department, the coordinator is to ensure that all officers are well-versed with the policy and that an investigation is completed in a timely manner.

The policy also outlines procedures for assisting victims in a way that includes limiting the department's contact with victims. Victims can use an advocate to take them to a safe house. That information will then be kept confidential. Moreover, Tacoma employees will not accompany any colleagues who are defendants in domestic violence cases to court.

"They must be aware of the fact that their mere presence in domestic violence related actions may appear intimidating to the victims," the policy notes.

"In terms of their relationship and commitment to victim safety, I don't think

I've seen anything better than this policy," said Renae Griggs, the founder and executive director of the National Police Family Violence Prevention Project.

But the department nearly had to go over the top in that regard, she pointed out. "This is obviously a public relations tool," Griggs told LEN. "They were in the hole in terms of public confidence."

Yet the policy manages to strike a balance between victim safety and the rights of employees. "This is indicative of the panel they put together with everybody's perspective," Griggs said.

The policy states that the agency "will adhere to and observe all procedures to

that departments often favor zero tolerance because it protects them when officers sue to get their jobs back. Those who do are thinking "liability, liability, liability," she said, whereas victim advocates are thinking "victim safety, victim safety, victim safety."

Tacoma made a smart decision when it chose the latter, said Davis.

"It would be nice if everyone would look at victim safety as the highest priority, not how to protect your job, not how to protect the department from liability," she said.

Zero tolerance was one of the few points, Strickland noted, on which the department disagreed with the model policy developed by the International Association of Chiefs of

"We had actual survivors from officer-involved domestic violence on our committee who were working with us, and they did not agree with several of the things that the LACP was using, so we decided we were not going to go with LACP on this," he told LEN.

Other ways in which Tacoma's policy perhaps differs from others around the nation is its provisions on new hires and applicants.

In an effort to stop trouble before it can start, the department will begin administering psychological examinations to applicants in an effort to identify those with abusive or controlling tendencies, and weed them out. It will also conduct extensive background checks that look specifically for domestic violence. Anyone with a history of abuse, including animal cruelty, will not be hired.

[A psychological screening of Brame at the time of his hiring in 1981 rated him at best a marginal candidate, with problems in terms of social adjustment and rigidity in his thinking and actions.]

All new employees must attend a "life partners" academy that will provide "realistic information concerning police work and its ramifications on relationships," according to the policy.

The department will also reply to all requests for assistance from employees concerned with their own safety, as well as requests from employees' children and colleagues, by referring them to a list of "non-punitive, confidential domestic violence" professionals certified by the state. The procedure for seeking confidential referrals will be published and promoted.

Training curriculums will be provided to local domestic violence victim advocacy groups upon request. These organizations will serve "as essential partners in effective community policing," the policy states.

Among other provisions, no on- or off-duty officer who discloses an act of domestic violence will be protected by confidentiality, and reporting is mandatory. Not even clergy or peer-group counselors will be excluded. Employees must notify supervisors of any abusive behavior they observe.

This provision troubles Griggs, who fears it will have an unintended and opposite outcome.

Griggs is currently conducting a pilot program with the Hollywood, Fla., Police Department that is aimed at developing a "collage" of proactive and preventive policies in which domestic violence is viewed as a symptom of other, underlying problems including depression and post-traumatic stress disorder. [See LEN, January 2004.]

The difference in Tacoma is that domestic violence is viewed as the problem, and not as a possible manifestation of these other ailments.

"I've had our team look at this policy and get some feedback from officers about it," she said. "[It's] pretty much their take that those things will clearly have a chilling effect on officers feeling comfortable asking for help. In my mind, it's too narrow a focus in the prevention area."

It is not just Tacoma, she said. The same is true of just about any policy.

"I don't care where you go, the focus is not on how can we prevent this from happening because in every area they talk about, even in the preventive areas, they stick pretty much with domestic violence," said Griggs.

Observers say Tacoma DV policy gives victim safety priority over exposure to potential liability.

ensure an accused employee's departmental, union and legal rights are upheld during the administrative and criminal investigations."

Two parallel criminal and administrative investigations will be conducted, the policy states. While the department's internal affairs unit usually conducts administrative probes, the chief may request an outside agency to perform the task. Appropriate discipline will be decided by the chief, which could include termination regardless of whether criminal charges were filed, but the policy is not a zero-tolerance protocol.

Dottie Davis, a Fort Wayne, Ind., police captain who has written police domestic-violence policies, believes "zero tolerance is a scary way to go."

Davis told The Tacoma News Tribune

Police.

In fact, Tacoma attorney Debra Hannula of the Task Force on Officer-Involved Domestic Violence told The News Tribune that she was shocked by the LACP's stance on the issue.

"This is not making victims safer," she said. "I was like, you have got to be kidding me... This is just a death warrant for the victim, and you don't care."

But Nancy Turner of the LACP said that she in turn was appalled that officers could be sent for counseling. "What other crime do police officers or civilians commit that they get sent to counseling?" she asked.

Strickland said the department was most concerned with creating a policy that fit Tacoma, its victims, and its police.

Police, Attention Deficit Disorder & the reality of legal vulnerability

Continued from Page 13

extraneous church and community activities when strong emotions and problems in paying attention may be indications of an overextended lifestyle.

¶ Read. DeGrandre notes in "Ritalin Nation" (W.W. Norton, 1999) that reading is far more relaxing than watching television.

¶ Become more compulsive. Whether in the home or at the office, get into the habit of always putting things in the same place. Officers who report attention problems frequently complain that they go back and forth to the car every morning because they keep forgetting one more item, or they run around searching for lost items.

¶ Exercise. It is amazing how many officers have allowed themselves to get out of shape. Officers are in a business in which staying in shape could save their lives. In addition, exercise helps with relaxation. When an officer is feeling fitter and more relaxed, he or she would be amazed at how attention and alertness improve.

¶ Write things down. Officers have to keep tons of information in their heads. Trying to remember everything causes an individual to pay attention to the dialogue that is going on in the head instead of paying attention to the surroundings. Writing things down relieves the pressure of trying to remember and permits better focus on the

environment.

¶ Improve self-dialogue. Some cognitive therapists have pointed out that our behaviors and emotions are responses to the sentences we tell ourselves in our heads. If an officer is having trouble paying attention, then that can serve as a cue to begin self-talk

Technically speaking, no one has ADD/ADHD. It is merely a convenient label. The usual culprit is anxiety, which can serve as a signal that our lives are too hectic and too out of control.

for instructions to slow down, relax and pay closer attention to what is going on in the environment. Cognitive therapists actually instruct patients to at first say these things out loud until they become more automatic and habitual. Of course, it might not be a good idea to do this when others are nearby, but it does work with practice.

¶ There are numerous healthy ways to relax, and thereby improve attention and focus. Consider yoga, meditation, progressive

muscle relaxation, and even biofeedback. These can greatly help without making an officer vulnerable to legal liability.

Summary

At present there is not one shred of evidence that Attention Deficit Disorders. Therefore, technically speaking, no one has ADD/ADHD. It is merely a convenient label. The usual culprit is anxiety, which can serve as a signal that our lives are too hectic and too out of control. Once an officer seeks treatment, a diagnosis of ADD/ADHD becomes a matter of record and can become grounds for liability in a court of law, especially when life-endangering decisions have been made. In addition, the medications used as so-called treatments are stimulants that can further prove to be problematic should an officer need to defend his or her actions following a critical incident. Problems with attention may serve as a clue that life may be out of control, pointing to the need to implement healthier ways to cope. An officer who is having emotional or personal problems should by all means seek counseling. Diagnoses of anxiety or depression will not compromise a career, but an ADD/ADHD diagnosis certainly can. Remember, it is just a label with no basis in fact, and one which an officer need not have on his or her record.

UPCOMING EVENTS

MAY

9-15. National Police Week. Coordinated by the National Law Enforcement Officers Memorial Fund. Washington, D.C. For information, go online to www.nleomf.com.

10-12. Police Media Relations. Presented by the Institute for Law Enforcement Administration. Albany, N.Y. \$345.

10-14. Crime Analysis Training. Presented by the Alpha Group Center for Crime & Intelligence Analysis Training. Harrisburg, Pa. \$525.

10-14. Criminal Investigative Analysis (Criminal Profiling). Presented by the Alpha Group Center for Crime & Intelligence Analysis Training. Wampsville, N.Y. \$525.

13-14. Risk Management & Critical Policy Development for Law Enforcement. Presented by The Pennsylvania State University. Morristown, N.J.

16-22. Providing Executive Protection. Presented by the Executive Protection Institute. Winchester, Va. \$3,190.

17-21. Crime Analysis Training. Presented by the Alpha Group Center for Crime & Intelligence Analysis Training. Fort Monroe, Va. \$525.

17-21. Criminal Intelligence Analysis. Presented by the Alpha Group Center for Crime & Intelligence Analysis Training. Fairfax, Va. \$525.

19-21. High Impact Supervision. Presented by The Pennsylvania State University. East Brunswick, N.J.

23-26. Protectom Pistol Defense. Presented by the Executive Protection Institute. Berryville, Va. \$990.

26-28. High Impact Supervision. Presented by The Pennsylvania State University. St. Peters, Mo.

JUNE

2-4. Research & Practice in Victim Services. Presented by the American Society of Victimology. Topeka, Kan.

7-8. Corporate Aircraft Security. Presented by the Executive Protection Institute. Chicago. \$390.

7-11. Interviewing Child Victims & Suspects. Presented by the Delinquency Control Institute. Palm Desert, Calif.

7-11. Crime Analysis Training. Presented by the Alpha Group Center for Crime & Intelligence Training. Puyallup, Wash. \$525.

7-11. Criminal Investigative Analysis (Criminal Profiling). Presented by the Alpha Group Center for Crime & Intelligence Training. Boardman, Ohio. \$525.

7-11. Criminal Intelligence Analysis. Presented by the Alpha Group Center for Crime & Intelligence Training. Longview, Wash. \$525.

9-12. VIP Protection for Law Enforcement. Presented by the Executive Protection Institute. Chicago. \$990.

16-18. "Master Street Narc" Course. Presented by Investigators Drug School. Dallas.

21-22. Assessing Terrorism-Related Risk. Presented by the S2 Institute. Clearwater, Fla.

21-25. Criminal Investigative Analysis (Criminal Profiling). Presented by the Alpha Group Center for Crime & Intelligence Training. Orlando, Fla. \$525.

JULY

12. Chemical & Biological Terrorism for Security Professionals. Presented by the S2 Institute. Clearwater, Fla.

12-14. "Master Street Narc" Course. Presented by Investigators Drug School. Houston.

13-14. By the Numbers: How to Analyze Race Data from Vehicle Stops. Presented by the Police Executive Research Forum. Las Vegas.

18-20. Principles of Protective Services & Detail Operations. Presented by the S2 Institute. Clearwater, Fla.

19-21. Annual Conference on Criminal Justice Research & Evaluation. Presented by the National Institute of Justice. Washington, D.C.

20-22. "Master Street Narc" Course. Presented by Investigators Drug School. San Antonio.

26-27. Bomb Countermeasures for Security Professionals. Presented by the S2 Institute. Clearwater, Fla.

26-30. Investigation & Prosecution of Child Fatalities & Physical Abuse. Presented by the National Center for Prosecution of Child Abuse. Chicago. \$250.

Listings in the "Upcoming Events" section of LEN are free on a first-come, first-served basis. Email details to len@jjay.cuny.edu. Please allow ample lead time for items to be posted.

For further information:

Addresses & phone/fax numbers for organizations listed in calendar of events.

Alpha Group Center for Crime & Intelligence Analysis Training. P.O. Box 8, Montclair, CA 91763. (909) 989-4366. Fax: (909) 476-8271. Email: crimecrush@aol.com. Web: www.alphagroupcenter.com.

American Society of Victimology, c/o Joint Center on Violence & Victim Studies. (785) 231-1010, ext. 1242. Email: thomas.underwood@washburn.edu.

Concerns of Police Survivors, P.O. Box 3199, Camden, MO 65020. (573) 346-4911. Fax: (573) 346-1414. Web: www.nationalcps.org.

Delinquency Control Institute, 3601 South Flower Street, Los Angeles, CA 90007. (212) 743-2497. Web: www.usc.edu/dept/spd/dci.

Executive Protection Institute, Highlander Lodge, P.O. Box 802, Berryville, VA 22611-0802. (540) 554-2540. Fax: (540) 554-2558. Web: www.personalprotection.com.

Institute for Law Enforcement Administration, 5201 Democracy Drive, Plano, TX 75024. (972) 244-3430. Fax: (972) 244-3431. Email: ILEA@calaw.org.

International Association of Chiefs of Police, (800) 843-4227, ext. 221, 234 or 268. Web: www.theiacp.org.

Investigators Drug School, P.O. Box 1739, Fort Lauderdale, FL 33302. Phone/fax: (954) 753-9493.

National Center for Prosecution of Child Abuse, 99 Canal Center Plaza, Suite 510, Alexandria, VA 22314. (703) 549-4253. Web: www.ndaa-apri.org.

National Institute of Justice, c/o Institute for Law & Justice. (703) 684-5300. Fax: (703) 739-5533. Email: nijpes@ijl.org.

Northeastern Tactical Schools, 8 Kingsbury Lane, North Billerica, MA 01862-1820. (978) 667-5591.

Pennsylvania State University, Justice & Safety Institute, 305 Luben Bldg, University Park, PA 16802. (814) 863-0079. Web: www.outreach.psu.edu/JusticeSafety/.

Police Executive Research Forum, (202) 454-8328. Web: www.policeforum.org.

S2 Institute, 1261 South Missouri Avenue, Clearwater, FL 33756. (727) 461-0066. Fax: (727) 449-1269. Web: www.s2institute.com.

Headlines are not enough

Affirmative-action programs looking a little black & blue
The jury is still out on community policing
Time to rethink academy & field training
Maternity-leave
It's a mother
Police force is too much
The jury is still out on community policing

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A publication of John Jay College of Criminal Justice/CUNY

International Perspectives on Crime, Justice and Public Order



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Dog eat dog

The underground culture of illegal dogfighting is raising new concerns for police – especially with its link to gang and drug activity. Story, Page 1.

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WHAT THEY ARE SAYING:

"The bottom line is, our police chief committed murder. We need to try to rebuild the trust and confidence in the community."

— Interim Police Chief Don Ramsdell of Tacoma, Wash., on the police department's release of sweeping new guidelines for dealing with officer-involved domestic violence. (Story, Page 1.)